

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK  
June 19, 2014



# **FINAL BOARD BOOK OUTLINE**

## **IHL Board Meeting**

June 19, 2014 9:00 a.m.

IHL Boardroom Universities Center

## **CALL TO ORDER**

## **PRAYER**

Trustee Robin Robinson

## **INTRODUCTION OF GUESTS**

## **MINUTES**

May 15, 2014 Regular Board Meeting

June 12, 2014 Health Affairs Committee Meeting

## **CONSENT AGENDAS**

Trustee Aubrey Patterson

## **FINANCE**

1. ASU – Mississippi Information Technology Services Agreement with Blackboard, Inc. ...1
2. DSU – Mississippi Information Technology Services Agreement with Ellucian Company, L.P. ....2

3. MSU – Approval of Contractual Service Agreements	
a. United Healthcare Insurance Company .....	3
b. Sirsi Corporation d/b/a SirsiDynix.....	4
4. MSU – Approval of Budget Escalation – Mississippi Alcohol Safety Education Program.....	6
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6. UM – Permission to Execute Insurance Binder with Aetna Student Health .....	8
7. UM – Permission to Enter into a Fire Protection Agreement and Related Lease Agreement with the City of Oxford.....	10
8. UM – Approval to Engage BKD, LLP Auditing Firm to Conduct Annual Audit.....	11
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b. Gambro Renal Products, Inc. ....	14
c. Infor, Inc. formerly Lawson Software Americas, Inc.....	15
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j. Insight Health Corporation .....	29
k. Physicians Realty L.P. dba DOC-GRENADA MOB, LLC .....	33
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2. UM – IHL 207-383 – Gillom Sports Center – New Additions and Renovations, Design Professional – TBD through RFQ Method .....	4

## Approval of Budget Increases/Changes of Scope/Funding Source(s)

### *Bureau of Building Projects*

3. JSU – GS 103-267 – Alexander Center Renovation Phase I, Design Professional – Foil-Wyatt Architects & Planners, PLLC.....5

## Approval of Other Real Estate Requests

4. ASU – Award of Timber Sales – Loessal Bluff Hardwood Harvest .....7
5. MSU – Approval of Exterior Design of the Meat Science Laboratory .....8
6. MSU – Delete from Inventory and Demolish Building #2183 (Intramural Sports Office and Maintenance Building).....9
7. UM – Naming of Basketball Practice Facility as “Tuohy Basketball Center” .....9
8. UMMC – IHL 209-550 – Wiser Women’s Urgent Care Renovation – Sole Source HVAC Control, Design Professional – The McCarty Company .....10
9. USM – Delete from Inventory and Demolish Building #636 (Metal Warehouse at Women’s Softball Complex) .....12

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1. ASU - Approval to Contract with Wilkerson & Crawford, LLP as Outside Counsel .....1
2. UM – Approval to Renew Contract with Armstrong Teasdale LLP as Outside Counsel ...1
3. UM – Approval to Renew Contract with Hershkovitz & Associates, LLC as Outside Counsel .....2
4. UM – Approval to Renew Contract with Stites & Harbison as Outside Counsel .....2
5. UM – Approval to Renew Contract with Evans Petree as Outside Counsel .....3
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1. BELHAVEN UNIVERSITY – Approval of Stage II – Qualify for Initial Accreditation of a Professional Nursing Program (Permission to Admit Students).....1

### **FINANCE**

Trustee Alan Perry

1. SYSTEM – Approval of Contractual Service Agreement with Sightlines, LLC .....1
2. SYSTEM – Approval of FY 2015 Operating Budgets .....3
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4. SYSTEM – Final Approval of New Board Policy 707.03 Approval of Prepayment for Goods or Services .....4
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6. MUW – Approval of the Residency and Out-of-State Tuition Waiver Policy .....7
7. MVSU – Approval to Enter into a Lease Agreement for Temporary Student Housing .....8

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1. USM- Approval to Settle IHL Self-Insured Workers’ Compensation Claims No. 55-34859 and 55-34237-1 .....1

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Commissioner Hank Bounds

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## **ADJOURNMENT**

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

May 15, 2014 Regular Board Meeting  
June 12, 2014 Health Affairs Committee Meeting

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 26, 2013, to each and every member of said Board, said date being at least five days prior to this May 15, 2014 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Robin J. Robinson was absent. The meeting was called to order by Mr. Aubrey Patterson, President, and opened with prayer by Bishop Clay Lee.

**INTRODUCTION OF GUESTS**

- President Patterson welcomed the Student Government Association Officers: Zackeus Johnson, SGA President for Alcorn State University; Keonte Turner, SGA President for Jackson State University; Brett Harris, SGA President for Mississippi State University; Sade' Meeks, SGA President for Mississippi University for Women; Derrick Jones, SGA President for Mississippi Valley State University; and Jeffrey George, SGA President for University of Southern Mississippi.
- Dr. William Bynum, President of Mississippi Valley State University, introduced Dr. Constance Bland, the new Vice President of Academic Affairs.

**APPROVAL OF THE MINUTES**

On motion by Trustee Blakeslee, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on April 24, 2014.

**CONSENT AGENDA**

On motion by Trustee Smith, seconded by Trustee Rouse, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

**FINANCE**

1. **MSU** – Pending receipt, review, and approval of the final agreement by the Attorney General's Office, the Board approved the request to lease approximately 6,146 square feet of space to the United States Postal Service (USPS) for a full-service, on-campus postal facility for an initial five-year term and any renewal terms provided there are no increases in leased space or

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decreases in rental payments in any subsequent terms. USPS can renew the agreement for two additional five-year terms. The agreement requires MSU to renovate the leased space prior to occupancy by USPS. Therefore, the start date and the end date of the agreement are dependent on completion of renovations to the leased space and occupancy of the leased space by USPS. USPS will pay MSU \$20,448 per year in equal monthly payments of \$1,704 for the term of the agreement. For a fifteen-year agreement, the revenue generated by the agreement will be \$306,720.

2. **MSU** – Exhibit 1 attached hereto represents approval by the Mississippi Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Mythics, Inc. for the provision of Oracle software licenses and related support services for MSU. The Attorney General's staff assigned to the MS-ITS will review the agreement prior to its execution. The agreement is between Mythics, Inc. and MS-ITS on behalf of MSU. **(See Exhibit 1.)**
3. **MSU** – Approved the request to escalate the FY 2014 MSU On-Campus budget from \$259,815,785 to \$264,103,284. The increase of \$4,287,499 is primarily from non-resident tuition revenue realized above the original budget and is applied to instructional salaries and scholarships.

<b>Categories</b>	<b>Original FY 2014 Operating Budget</b>	<b>Revisions/ Escalations</b>	<b>Revised FY 2014 Operating Budgets</b>
Salaries, Wages, & Fringe Benefits	\$ 174,109,369	\$ 2,363,869	\$ 176,473,238
Travel & Subsistence	902,451	59,967	962,418
Contractual Services	72,570,619	(2,072,417)	70,498,202
Commodities	2,740,031	652,223	3,392,254
Capital Outlay:			
Other Than Equipment	2,198,522	(2,286)	2,196,236
Equipment	1,082,799	1,845,852	2,928,651
Transfers:			
Mandatory	54,435	30,489	84,924
Non-Mandatory	6,157,559	1,409,802	7,567,361
Increase in Fund Balance			
<b>TOTAL</b>	<b>\$ 259,815,785</b>	<b>\$ 4,287,499</b>	<b>\$ 264,103,284</b>

4. **UM** – Approved the request to rent twenty-seven copiers from Robert J. Young Company, Inc. d/b/a RJ Young Co, Inc. for use by the Athletics Department. The term of the agreement is sixty months starting on the date the agreement is signed by both parties. There are no automatic renewals and no options to purchase. The cost of the sixty-month agreement is \$497,442. UM will pay a rental payment of \$8,290.70 per month. This payment will include 188,000 black-and-white copies/prints per month. Black-and-white copies/prints in excess of 180,000 will be billed quarterly at .008 each. All color copies/prints will be billed quarterly at .0459 each. Due to increased purchasing power with Canon, this agreement will decrease the current cost per month

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by \$1,628.27. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

5. **UMMC** – Approved the request to modify the total expenditure amount applicable to its reagent rental agreement with Hologic, Inc. to purchase supplies and lease equipment for use in genetic serology screening for patients at risk for thrombosis. The rental cost for the equipment is included in the cost of the reagents. The term of the agreement remains at three (3) years – August 2, 2013 through August 1, 2016. The modified total estimated cost for the contract period is \$192,057.74 which is \$148,146.61 over the originally approved total. The originally approved cost was \$43,911.13. The request to spend additional funds is due to a rise in the volume of testing being performed. The agreement will be funded by patient revenues. A copy of the original agreement was reviewed and approved by the Attorney General's Office. No additional approval by the AG's Office is needed for the modification. The modified agreement is on file at the Board Office.
6. **UMMC** – Approved the request to enter into an agreement with Mississippi Blood Services, Inc., a non-profit organization, for the provision of blood and blood related products to patients at UMMC Grenada who require human blood and/or blood product transfusions. The term of the agreement is for five (5) years beginning on or about June 1, 2014 through May 31, 2019. The total estimated contract cost for the five (5) year contract term is \$1,802,807.97. Based on historical data, UMMC Grenada estimates spending \$23,000 per month for the first year of the agreement. Beginning in Year 2 of the agreement and each year thereafter, there is the potential for a monthly price increase based on increases in patient need and in the cost of blood processing fees. A breakdown of costs is included in the bound *May 15, 2014 Board Working File*. The agreement will be funded by patient revenues. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
7. **UMMC** – Approved the request to enter into a reagent rental agreement with Werfen USA, LLC. d/b/a Instrumentation Laboratory (IL) for blood gas testing equipment and supplies for the UMMC Hospital Clinical Laboratory. The contract term remains at five (5) years, beginning on or about June 1, 2014 through May 31, 2019. The total five (5) year cost is estimated to be \$2,378,767.89 for the cartridges and supplies that UMMC commits to purchase. Beginning June 1, 2017 and each June 1st thereafter for the term of the agreement, and upon thirty (30) days written notice, there may be an annual rate adjustment in an amount not to exceed the increase in the Consumer Price Index for All Urban Consumers, U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC estimates a maximum rate adjustment of 4% yearly in the event IL opts to impose a price adjustment on UMMC. A breakdown of the annual estimated costs including a potential 4% rate adjustment are included in the bound *May 15, 2014 Board Working File*. The agreement will be funded by patient revenues. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

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8. **UMMC** – Approved the request for the Friends of Children’s Hospital, an affiliated entity of the University of Mississippi Medical Center, to engage the Haddox, Reid, Eubank, Betts, LLP firm to conduct its annual audit for fiscal year 2014 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, D. General Requirements of Affiliation Agreements Subsection 9.
9. **UMMC** – Exhibit 2 attached hereto represents the agenda item submission prepared by the Mississippi Information Technology Services’ (MS-ITS) executive staff for its April 17, 2014 Board meeting. The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The agreement for Clinical Dialysis EHR software and billing services will be between Infian and MS-ITS on behalf of UMMC. **(See Exhibit 2.)**
10. **USM** – Exhibit 3 attached hereto represents approval by the Mississippi Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of licensing, hosting and services related to the Blackboard Learning Management System for USM. The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of USM. **(See Exhibit 3.)**
11. **USM** – Approved the request to renew a contract with United Healthcare Insurance Company for health insurance plans for graduate assistants, residence assistants, and international students. The contract is for one (1) year, August 15, 2014, through August 14, 2015, with options for mutually agreed upon annual renewals. The total premiums paid are dependent on the actual number of student participants. USM calculated a cost estimate based on prior participation rates and projected FY2015 enrollment in the program. It is estimated that the total cost for the one (1) year period will be approximately \$1,167,320 based on an enrollment of 770 students at a premium rate of \$1,516 per student. USM anticipates paying approximately \$576,000 toward the estimated total cost. The insurance program will be funded by several sources: institutional funds, direct billing of student accounts, and funds received on behalf of students from externally funded grants and contracts. Graduate assistant premiums are funded from a combination of all of the available sources and resident assistants are funded through auxiliary accounts, while premiums for international students are completely covered by direct billing to student accounts. A copy of the agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

**REAL ESTATE**

12. **MVSU** – Approved the initiation of **GS 106-253, College Hall I Renovations**, and the appointment of the design professional using the “Request for Qualifications” method. College Hall I is a two story, 33,400 square foot building that was constructed in 1964. In mid-2004, the building suffered fire damage has not been occupied since that time. The proposed renovation project will consist of abatement and demolition of existing finishes, replacement of all building systems with energy efficient equipment, installation of an elevator, back-up generator,

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replacement of interior finishes, signage, furniture and installation of equipment. The project will also include the installation of new sidewalks, exterior lighting, signage and seating areas outside the residence hall. The proposed project budget is \$4,750,000. Funds are available from H.B. 787, Laws of 2014 (\$4,500,000) and Bureau of Building Discretionary Funds (\$250,000).

13. **MSU** – Approved the initiation of **IHL 205-276, New Residence Halls North**, to construct two new residence halls on the north side of campus and the appointment of The McCarty Company Design Group, P.A. as the design professional. The Board also granted permission to demolish the existing Evans Hall to allow for the site of the new residence halls and the Sonny Montgomery Center for America's Veterans. Each of the residence halls will consist of approximately 122,000 sq. ft. and provide approximately 356 beds. The project will also include an additional 10,000 sq. ft. facility to house the Sonny Montgomery Center for America's Veterans which will either be incorporated in to the residence hall facility or stand alone on the residence hall site. The proposed project budget is \$60,500,000. Funds are available from MSU EBC Bonds/Commercial Paper (\$58,000,000) and MSU Foundation Funds (\$2,500,000).
14. **MSU** – Approved the request to increase the project budget for **IHL 205-231, MSU South Entrance Road**, from \$5,000,000 to \$ 18,700,000, an increase of \$13,700,000. The Board also approved the request to add funding sources: \$15,200,000 of MDOT funds and \$3,500,000 of MSU Designated Funds. The project is currently in the design phase. This is the first budget escalation for the project by the university. The escalation in the project budget is required based on the design professional's latest estimate of cost. The current budget was an estimate of project costs that was established in 2009 once the design professional was appointed and has since been updated to reflect more accurate market costs. The project will construct a new entrance road along the east boundary of the South Farm connecting Poorhouse Road to Stone Blvd. Funds are available from MDOT (\$15,200,000) and MSU Designated Funds (\$3,500,000).
15. **MSU** – Approval by the Attorney General's Office is contingent upon MSU providing the Research and Technology Corporation with notice of the binding successor doctrine prior to the execution of the Agreement, the Board approved the request to enter into a Master Option to Lease and Ground Lease Agreement with MSU's affiliated Research Corporation, the Mississippi State University Research and Technology Corporation (MSU-RTC), for the development of Phase II of the Thad Cochran Research, Technology and Economic Development Park. Through the Option and Lease Agreement, MSU will grant MSU-RTC an option to lease any portion of the land consisting of Phase II of the Research Park. When research and economic opportunities arise, MSU-RTC will exercise the option or "takedown" portions of the premises that are needed for a particular project by providing a Notice of Exercise to MSU. The Notice of Exercise will include the parcel size and description, the annual rental amount, the terms of the lease, and other conditions. Upon submission of a Notice to Exercise, the portion of Phase II covered by the Notice will be deemed leased and available for sublease to a third party. MSU will receive all net revenues generated by MSU-RTC's subleases of the land. MSU-RTC will retain a five (5) percent management fee from rent proceeds. Upon execution of

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the Option and Lease Agreement, two appraisals will be obtained to establish the fair market rental value of the property. The average of the two appraisals will set the base rental amount for any sublease of the property. The base rental amount will increase based on CPI index formula each year. The property will be reappraised every ten (10) years to re-establish the base rent. The Option and Lease Agreement will be between MSU and MSU-RTC. The Option and Lease Agreement is needed so that MSU can have a legal framework in place to effectively and efficiently capitalize on opportunities for growth in Phase II of the Research Park. The leased premises will consist of Phase II of the Research Park, which is approximately 41 acres. The start date of the agreement will be upon execution. MSU will have the right to terminate the Option and Lease Agreement upon 120 days' notice for any portions of the property in which MSU-RTC has not previously exercised the option and entered into a sublease with a third party. For those portions of the premises in which MSU-RTC has already exercised its option and entered into a sublease, the total term of sublease cannot exceed 99 years (including any renewal terms.) The Attorney General's Office has reviewed and approved this item contingent upon MSU providing the RTC with notice of the binding successor doctrine prior to the execution of the Agreement.

16. **USM** – Approved the request to grant a grading and slope easement to Lake Forgetful of Mississippi, LLC. Lake Forgetful of Mississippi, LLC is planning to develop property adjacent to the university's forty (40) acre tract of land located approximately three (3) miles from the university's main campus. The easement shall not exceed 0.94 acres of that portion of Grantor's property which is located on or within the areas labeled "Grading and Slope Easement Area". The slope and grading improvements have been designed and engineered to such elevations and at such rates of slope as determined by a Professional Engineer and selected and paid by the Grantee or its successors and assigns to design and determine adequate performance, integrity and stability of the easement and proposed retaining wall area. Grantee shall submit the construction plans and specifications of the Grading and Slope Easement Area for review and written approval of the Grantor. Should Grantor not submit in writing any objections to said plans and specifications within fifteen (15) days after submittal by Grantee to Grantor, the plans and specifications shall be deemed approved by the Grantor. Should Grantor object in writing to said plans or specifications, the parties agree to use all commercially reasonable efforts to resolve any issues within thirty (30) days after written notice by Grantor. Should the parties not reach an agreement within said thirty (30) day period, either party may terminate this Grading and Slope Easement by written notice. The Attorney General's Office has reviewed and approved this item.
17. **USM** – Approved the request to delete Buildings #233 and #234 from inventory and demolish them. Building #233 is located at 3701 Pearl Street and is a recently purchased residence. Building #234 is located at 3703 Pearl Street and is an efficiency apartment. These buildings are located next to each other on the same lot and are in a state of disrepair. The buildings do not serve the mission of the university and will allow for a more visually appealing entrance to

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campus from the West as well as allow for future expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

18. **USM – GCRL** – Approved the request to delete from inventory and demolish Building #33, Gulf Coast Geospatial Center Modular Unit, located on the Halstead Road site at the Gulf Coast Research Lab. The modular unit was purchased in 2003 and initially housed the Gulf Coast Geospatial Center. Due to the condition of the unit, it was abandoned in October 2013 and has no further use to the university. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
19. **USM** – Approved the request to amend the terms under which the university would propose to sell the remaining forty-one (41) residential properties out of the original forty-seven (47) residential properties approved for sale under the Neighborhood Stabilization Program (NSP). The amendment will allow the university to sell the remaining homes under the NSP for the lesser of the contract price (as set by the university's appraisal), Lender's appraised value or the university's total development costs of the property. The Board also granted retroactive approval for the sale of 4755 Satinwood Road and 2935 Marwood Drive at the contract sales price. These properties were sold for the contract sales price per the requirements of Mississippi Development Authority (MDA) instead of the higher lender appraised price as approved by the Board in June 2013 and January 2014. Currently, the university has sold six homes and is actively marketing the remaining forty-one (41) homes. As long as the homes are sold for the lesser of the total development costs, or the appraised value, the sale will meet the requirements of the NSP program. The university was authorized by the legislature to sell these homes under the terms and conditions as provided by the NSP subgrant from MDA. MDA requires the university to sell the homes for the lower of the two appraisals. As long as the homes are sold for no more than the cost of the home plus the renovation costs incurred in rehabbing the homes, the sale will meet the requirements of the NSP program.

**LEGAL**

20. **MSU** – Approved the request to modify/renew a contract with Julie W. Brown as outside counsel to provide services necessary in assisting the university with real estate matters. Modification #2 will extend the term of the contract for one (1) year or until May 16, 2015. The hourly rate to be paid will be \$165, which is the same rate agreed to in the prior contract with this firm. The maximum amount payable under the contract will be \$10,000. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect. The Attorney General has approved this request.
21. **UMMC** – Approved the request to renew the contract with David Ware and Associates as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual

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agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is \$50,000. The fees payable under the contract would be as follows: \$2,000 – special handling labor certification, no re-advertisement required; \$2,500 – special handling labor certification, re-advertisement required; and \$3,000 – non-teaching labor certification. Advertisement for special handling will be about \$500; for regular about \$1000. EB1 is \$4,500 for the petition plus \$475 filing fee. Adjustment of status is \$1,500 for the principal and \$750 for each dependent. Exclusive of filing and fees and medical which for one adult would be approximately \$1,485 plus \$150. The Attorney General has approved this request.

22. **UMMC** – Approved the request to hire Barry J. Walker of Walker & Ungo Immigration Law Firm as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is \$50,000. The fees payable under the contract would be as follows:

PERM

Initial Fee:	\$2500
I-140:	\$2000
I-485:	\$2000
Family members:	\$500 per family member

EB-1 (Outstanding professor/researcher, extraordinary ability) and Special Handling Labor Certification

Initial Fee:	\$2000
On approval of I-140 or special handling:	\$2000
I-485:	\$2000
Family members:	\$500 per family member

The Attorney General has approved this request.

23. **UMMC** – Approved the request to contract with Kitchens, Hardwick & Whitfield, PLLC as outside counsel to provide legal services related to personnel matters. The term of the contract will be July 1, 2014 through June 30, 2015. The rate of pay is \$165 per hour with a do not exceed amount of \$50,000. The Attorney General has approved this request.
24. **UMMC** – Approved the request to contract with William Smith, III of the firm Watkins and Eager, PLLC to provide legal services as real estate counsel. The term of the contract will be from July 1, 2014 through June 30, 2015. The rate of pay is \$165 per hour with a do not exceed amount of \$200,000. The Attorney General has approved this request.

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25. **USM** – Approved the request to increase the total amount payable under the previously approved contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP to \$95,000. The Board previously approved a contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP as outside counsel to assist the university in various legal matters. The approval was for a term of one year from July 1, 2013, through June 30, 2014, with a total amount payable under the arrangement not to exceed \$60,000 for attorneys’ fees. Due to several decisions by the Office of Inspector General and FEMA following approval of the original employment agreement relating to Katrina damage at Gulf Coast properties, the university is involved in appeals opposing those decisions. The university also requested and received legal opinions on matters originating after the approval of the current contract. As a result, amounts which are expected to be billed will exceed \$60,000. The Attorney General has approved this request.

**26. PERSONNEL REPORT**

**EMPLOYMENT**

**Mississippi Valley State University**

- Rita Myers; Dean of University College; salary of \$75,000, per annum, pro rata; Title III funds and E&G funds effective April 1, 2014

**University of Mississippi**

*(Also reported in the Tenure section below.)*

- Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; salary of \$350,000 per annum, pro rata; E&G funds; *hired with tenure*; twelve-month contract; effective July 1, 2014

**CHANGE OF STATUS**

**Mississippi University for Women**

- Tom Richardson, *from* Dean of Arts and Sciences; salary of \$127,120 per annum, pro rata; E&G funds; *to* Interim Provost and Vice President of Academic Affairs and Dean of Arts and Sciences; salary of \$177,000 prorated; E&G funds; effective May 12, 2014
- Dan Heimmermann, *from* Provost and Vice President of Academic Affairs; salary of \$165,000 per annum, pro rata; E&G funds; *to* Special Assistant to the President; no salary change; effective May 12, 2014

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**SEPARATION OF EMPLOYMENT**

**Mississippi University for Women**

- Dan Heimmermann; Special Assistant to the President; effective June 2, 2014, resignation

**TENURE**

*(Promotions where noted.)*

**Alcorn State University**

*(Nine – month contracts effective August 19, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.)*

- John Adjaye, *promotion* to Associate Professor, Department of Advanced Technologies
- Robert Carr, *promotion* to Professor, School of Education and Psychology (*twelve-month contract*)
- Robin Christian, *promotion* to Associate Professor, Department of Graduate Nursing (*twelve-month contract*)
- Akash Dania, *promotion* to Associate Professor, School of Business
- Jyotirmay Gadewadikar, *promotion* to Associate Professor, Department of Advanced Technologies
- Gayle Hathcox, Assistant Professor, Department of Baccalaureate Nursing
- Erol Sarigul, *promotion* to Associate Professor, Department of Advanced Technologies

**Delta State University**

*(All on nine-month contracts effective August 18, 2014.)*

- Nathaniel Hein, Associate Professor, Department of Art
- Dr. Deborah Myers, Associate Professor, Division of Health, Physical Education and Recreation

**Jackson State University**

*(Nine – month contracts effective August 14, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.)*

- Wayne Nix, *promotion* to Associate Professor, Department of Accounting
- Stephanie Davidson, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education
- Evornia Kincaid, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education
- Lakita Johnson, *promotion* to Associate Professor, Department of School, Community and Rehabilitation Counseling
- Ingrad Smith, *promotion* to Professor, Department of Educational Leadership (*twelve-month contract*)
- Thomas Kersen, *promotion* to Associate Professor, Department of Criminal Justice and Sociology

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- Everett Neasman, *promotion* to Associate Professor, Department of English and Modern Foreign Languages
- Kenyatta Stewart, *promotion* to Associate Professor, Department of Art
- Evandro Santos, *promotion* to Associate Professor, Department of Urban and Regional Planning
- Julie Schroeder, *promotion* to Professor, School of Social Work – Master of Social Work Program
- Hingmanshu Das, *promotion* to Associate Professor, Department of Civil and Environmental Engineering
- Dr. Serguei Goupalov, *promotion* to Associate Professor, Department of Physics, Atmospheric Science and Geosciences

**Mississippi University for Women**

*(All on nine-month contracts effective August 18, 2014.)*

- Dr. Nora Corrigan, *promotion* to Associate Professor of English, College of Arts and Sciences
- Dr. Joshua Hanes, *promotion* to Associate Professor of Mathematics, College of Arts and Sciences
- Dr. Ghanshyam Heda, *promotion* to Associate Professor of Biology, College of Arts and Sciences
- Dr. Erin Kempker, *promotion* to Associate Professor of History, College of Arts and Sciences
- Dr. R. Andrew Luccasen, *promotion* to Associate Professor of Finance and Economics, College of Business and Professional Studies
- Dr. Deborah Miranda, *promotion* to Professor of Nursing, BSN, College of Nursing and Speech-Language Pathology

**University of Mississippi**

*(Nine -month contracts effective and twelve-month contracts effective August 20, 2014. All are nine-month contracts unless otherwise noted.)*

- Emanuele Berti, *promotion* to Associate Professor of Physics and Astronomy, College of Liberal Arts
- Lauren Smythe Bloodworth, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy *(twelve-month contract)*
- Kendall Owen Bowlin, *promotion* to Associate Professor of Accountancy Instruction, School of Accountancy
- Hank R. Buchanan, *promotion* to Research and Development Engineer I, NCPA *(twelve-month contract)*
- Mercer E. Bullard, *promotion* to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law
- Wayne O. Carpenter Jr., *promotion* to Senior Research and Development Engineer, NCPA *(twelve-month)*
- Suman Chandra, *promotion* to Senior Research Scientist, NCNPR *(twelve-month contract)*
- James V. Cizdziel, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

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- Alakabha Datta, *promotion* to Associate Professor of Physics and Astronomy, College of Liberal Arts
- Erwin Mina Diaz, *promotion* to Associate Professor of Mathematics, College of Liberal Arts
- Mark Vincent Frezzo, *promotion* to Associate Professor of Sociology, College of Liberal Arts
- Thomas A. Garrett, Associate Professor of Economics, College of Liberal Arts
- Kerry P. Holmes, *promotion* to Professor of Elementary Education, School of Education
- Erin Renee Holmes, *promotion* to Associate Professor of Pharmacy Administration and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy (*twelve-month contract*)
- Robert M. Holt, *promotion* to Professor of Geology and Geological Engineering, School of Engineering
- Amanda Jane Johnston, *promotion* to Associate Professor of Music, College of Liberal Arts
- Steven Justice, Professor of Medieval History, College of Liberal Arts
- Daniel E. Kleinert Jr., *promotion* to Senior Research and Development Engineer, NCPA (*twelve-month contract*)
- Rory Ledbetter, *promotion* to Associate Professor of Theatre Arts, College of Liberal Arts
- Gregory J. Love, *promotion* to Associate Professor of Political Science, College of Liberal Arts
- Walter J. Mayer, *promotion* to Professor of Economics, College of Liberal Arts
- Katie S. McClendon, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy (*twelve-month contract*)
- Micah Baruch Milinovich, *promotion* to Associate Professor of Mathematics, College of Liberal Arts
- Ann Elizabeth Monroe, *promotion* to Associate Professor of Education & Coordinator of Elementary Education, School of Education
- Brice Noonan, *promotion* to Associate Professor of Biology, College of Liberal Arts
- Timothy W. Nordstrom, *promotion* to Professor of Political Science, College of Liberal Arts
- Clifford A. Ochs, *promotion* to Professor of Biology, College of Liberal Arts
- Scott G. Owens, *promotion* to Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences
- Patrick F. Pace, *promotion* to Senior Research Scientist in the Research Institute of Pharmaceutical Sciences and Associate Professor of Pharmacy Administration, School of Pharmacy (*twelve-month contract*)
- E. Farish Percy, *promotion* to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law
- Corina Liliana Petrescu, *promotion* to Associate Professor of Modern Languages, College of Liberal Arts
- Jarod Heath Roll, Associate Professor of History, College of Liberal Arts
- Michael T. Rowlett, *promotion* to Associate Professor of Music, College of Liberal Arts
- Lisa Shaw Roy, *promotion* to Professor of Law, School of Law
- Amala Dass Antony Samy, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

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- Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; *hired with tenure; twelve-month contract*; effective July 1, 2014
- Bradley E. Schultz, *promotion* to Professor of Journalism, Meek School of Journalism and New Media
- Christian Sellar, *promotion* to Associate Professor of Public Policy Leadership, College of Liberal Arts
- Todd A. Smitherman, *promotion* to Associate Professor of Psychology, College of Liberal Arts
- Jason David Solinger, *promotion* to Associate Professor of English, College of Liberal Arts
- Alex Phillip Watson, *promotion* to Reference Librarian and Associate Professor, General Library (*twelve-month contract*)
- Desiree Stepteau Watson, *promotion* to Associate Professor of Social Work, School of Applied Sciences
- Roger M. Waxler, *promotion* to Senior Research Scientist II and Research Associate Professor of Physics and Astronomy, NCPA (*twelve-month contract*)
- Bing Wei, *promotion* to Professor of Mathematics, College of Liberal Arts
- Noell Rebecca-Howell Wilson, *promotion* to Croft Associate Professor of History and International Studies, College of Liberal Arts
- Henrietta Shu-Fen Yang, Croft Associate Professor of Chinese and Co-Director of the Chinese Language Flagship Program, College of Liberal Arts
- John N. Young, *promotion* to Associate Professor of Psychology, College of Liberal Arts

**University of Mississippi Medical Center**

(All on twelve-month contracts effective July 1, 2014.)

School of Medicine

- Istvan Arany, Professor of Pediatrics
- Bettina Beech, Professor of Family Medicine
- Kim L. Gratz, *promotion* to Professor of Psychiatry and Human Behavior
- Edward D. Green, Associate Professor of Radiology
- Jonathan S. Jones, Associate Professor of Radiology
- Luis Juncos, Professor of Medicine
- Majid A. Khan, Associate Professor of Radiology
- John T. Lam, Associate Professor of Pathology
- Birdie B. Lamarca, Associate Professor of Pharmacology and Toxicology
- Gustavo D. Luzardo, Associate Professor of Neurosurgery
- Yin-Yuan Mo, Professor of Pharmacology and Toxicology
- Damien Romero, *promotion* to Associate Professor of Biochemistry
- Bruce N. Schlakman, Associate Professor of Radiology
- Matthew Tull, Associate Professor of Psychiatry and Human Behavior
- Kounosuke Watabe, Professor of Microbiology

School of Health Related Professions

- Stacy Vance, Associate Professor of Health Related Professions

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School of Nursing

- Mary Stewart, *promotion* to Professor of Nursing

**University of Southern Mississippi**

*(Nine-month contracts effective August 18, 2014, and twelve-month contracts effective July 1, 2014. All are nine-month contracts unless otherwise noted.)*

- Carmen Carracelas-Juncal, *promotion* to Associate Professor, Department of Foreign Languages and Literatures
- Monika Gehlawat, *promotion* to Associate Professor, Department of English
- Cheryl D. Jenkins, *promotion* to Associate Professor, Department of Mass Communication and Journalism
- Kelly Ferris Lester, *promotion* to Associate Professor, Department of Dance
- Julie A. Reid, *promotion* to Associate Professor, Department of Anthropology and Sociology
- Amy Slagle, *promotion* to Associate Professor, Department of Philosophy and Religion
- Heather Marie Stur, Associate Professor, Department of History
- Kenneth Swope, Professor, Department of History
- Brian Collins, *promotion* to Associate Professor, Department of Management and International Business
- Barry Cumbie, *promotion* to Associate Professor, Department of Management and International Business
- SherRhonda Gibbs, *promotion* to Associate Professor, Department of Management and International Business
- Kimberly Goodwin, *promotion* to Associate Professor, Department of Finance, Real Estate and Business Law
- Paula Parker, *promotion* to Associate Professor, School of Accountancy
- Marco Wolf, *promotion* to Associate Professor, Department of Marketing and Merchandising
- Alan Hajnal, *promotion* to Associate Professor, Department of Psychology
- Michael Mong, *promotion* to Associate Professor, Department of Psychology
- Kenji Noguchi, *promotion* to Associate Professor, Department of Psychology
- Stacy R. Reeves, Associate Professor, Department of Curriculum, Instruction and Special Education
- Edward Goshorn, Associate Professor, Department of Speech and Hearing Sciences
- Bill Holcomb, Associate Professor, Department of Human Performance and Recreation
- Melissa Murray, *promotion* to Associate Professor, Department of Human Performance and Recreation
- Christina Perigoe, Associate Professor, Department of Speech and Hearing Sciences
- Rowena Elliott, Associate Professor, Nursing/Advanced Practice
- Melanie Gilmore, *promotion* to Associate Professor, Nursing/Advanced Practice
- Greg Carter, Associate Professor, Department of Geography and Geology
- Amer Dawoud, Associate Professor, Department of Computing
- Joe Griffitt, *promotion* to Associate Professor, Department of Coastal Sciences
- Bandana Kar, *promotion* to Associate Professor, Department of Geography and Geology

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- Jeremy Lyle, *promotion* to Associate Professor, Department of Mathematics
- Derek Patton, *promotion* to Associate Professor, School of Polymers and High Performance Materials
- Vijay Rangachari, *promotion* to Associate Professor, Department of Chemistry
- Eric Saillant, *promotion* to Associate Professor, Department of Coastal Sciences
- Daniel Savin, *promotion* to Associate Professor, School of Polymers and High Performance Materials
- Nan Wang, *promotion* to Associate Professor, Department of Computing
- Jorge E. Brown, *promotion* to Associate Professor, University Libraries (*twelve-month contract*)
- Peter R. Dean, *promotion* to Associate Professor, University Libraries (*twelve-month contract*)

**EMERITUS STATUS**

**Alcorn State University**

- Alpha Morris, Professor of Social Sciences

**RETROACTIVE APPROVAL GRANTED TO THE FOLLOWING ITEMS**

**EMPLOYMENT**

**University of Mississippi Medical Center**

- Janice Lage, M.D.; Chair and Professor of Pathology; salary of \$585,000, per annum, pro rata; E&G funds; *hired with tenure*; effective February 3, 2013 (*Also reported in the Tenure section below.*)

**TENURE**

**University of Mississippi Medical Center**

- Janice Lage, M.D.; Chair and Professor of Pathology; salary of \$585,000, per annum, pro rata; E&G funds; *hired with tenure*; effective February 3, 2013

**ADMINISTRATION/POLICY**

27. **ASU** – Approved the request to bestow one honorary degree at its May 2014 commencement ceremony. Supporting documents are on file at the Board Office.
28. **System** – Approved the amendments to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines. The amended SMART Business Act guidelines will be submitted to the Mississippi Secretary of State’s Office in accordance with the Administrative Procedures Act. (**See Exhibit 4.**)

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**ACADEMIC AFFAIRS**

Presented by Trustee Ford Dye, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **State** - Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, the Board approved the accreditation of the Mississippi Nursing Degree Programs as shown below.

SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Alcorn State University	ADN BSN MSN School	Continuing Accreditation with Conditions <sup>1</sup> Continuing Accreditation Continuing Accreditations with Conditions <sup>1</sup> Continuing Accreditations with Conditions <sup>1</sup>
Coahoma Community College	ADN	Initial Accreditation
Copiah-Lincoln Community College	ADN	Continuing Accreditation
Delta State University	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Initial Accreditation
East Central Community College	ADN	Continuing Accreditation
East Mississippi Community College	ADN	Continuing Accreditation
Hinds Community College	ADN	Continuing Accreditation
Holmes Community College	ADN	Continuing Accreditation
Itawamba Community College	ADN	Continuing Accreditation with Conditions <sup>2</sup>
Jones County Junior College	ADN	Continuing Accreditation
Meridian Community College	ADN	Continuing Accreditation
Mississippi College	BSN	Continuing Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation with Conditions <sup>3</sup>
Mississippi Educational Consortium for Specialized Advanced Practice Nursing (MECSAPN) - ASU, DSU, MUW, UMMC, & USM	MSN Gerontological & Psychiatric Mental Health Nurse Practitioner	Full Accreditation
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation with Conditions <sup>4</sup>
Mississippi University for Women	ADN BSN MSN DNP	Continuing Accreditation Continuing Accreditation Continuing Accreditation Initial Accreditation
Northeast Mississippi Community College	ADN	Continuing Accreditation
Northwest Mississippi Community College	ADN	Continuing Accreditation
Pearl River Community College	ADN	Continuing Accreditation
Southwest Mississippi Community College	ADN	Continuing Accreditation with Conditions <sup>5</sup>
University of Mississippi Medical Center	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation
University of Southern Mississippi	BSN	Continuing Accreditation

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	MSN DNP	Continuing Accreditation Full Accreditation
William Carey University	BSN MSN	Continuing Accreditation Continuing Accreditation

<sup>1</sup>**Alcorn State University**

- REASON: ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required; ADN program pass rate **78.59%**
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**
- REASON: MSN program non-compliant with one out of six ACEN Accreditation Standards: Standard 4. Curriculum
- **CONDITION: must submit a follow-up report to ACEN in spring 2015**  
REASON: School non-compliant with IHL Standard I. Mission and Administrative Organization. State Specific Requirements 2. b. unencumbered current license to practice in Mississippi
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**

<sup>2</sup>**Itawamba Community College**

- REASON: program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2014**

<sup>3</sup>**Mississippi Delta Community College**

- REASON: program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2015**

<sup>4</sup>**Mississippi Gulf Coast Community College**

- REASON: program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.a. master's degree with a major in nursing
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14**

<sup>5</sup>**Southwest Mississippi Community College**

- REASON: program non-compliant with two out of six ACEN Accreditation Standards: Standard 4. Curriculum and Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to ACEN in fall 2014**

**FINANCE AGENDA**

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. Agenda item #2 was removed from the agenda for further review. On motion by Trustee Perry, seconded by Trustee Smith, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3 as amended. On motion by Trustee Perry, seconded by Trustee Cummins, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by

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Trustee Perry, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #6.

1. **System** – Approved the request to renew its property insurance coverage with Affiliated FM Insurance Company and Axis Surplus Insurance Company. In 2009, the Board approved a system-wide approach to insuring the system’s buildings. Since 2012, all campus buildings have been covered through this program. Affiliated FM Insurance Company has provided the primary property coverage and Axis Surplus Insurance Company has provided necessary Wind and Flood coverage. Due to a reduction in the average premium rate, this renewal will cover approximately five percent more property value while costing approximately three percent more in premium. The contract is a one-year insurance policy beginning May 31, 2014, and terminating May 31, 2015. The premium is approximately \$6,555,886, subject to increase or decrease through the term of the policy as universities add or decrease coverage. Each university and the Board Office will pay its respective share of the premium which is billed and paid directly between the insurance company and the insured.
2. **System** – Request approval of FY 2016 Proposed Funding Priorities as required for the 2015 Legislative Budget Request. **(THIS ITEM WAS PULLED FROM THE AGENDA.)**
3. **System** – Approved new Board Policy 707.03 Approval of Prepayment for Goods or Services for first reading as amended to include the provision that this policy is subject to the requirements as set forth in Board Policy 707.01 Land, Property, and Service Contracts.

**707.03 APPROVAL OF PREPAYMENT FOR GOODS OR SERVICES**

Pursuant to Miss. Code Ann. § 7-7-27 (1972), as amended, the Board of Trustees of State Institutions of Higher Learning (IHL) may permit prepayment for goods or services not yet received. The procedures regarding such waivers applicable to the IHL Executive Office and the various state universities are:

- 1) The Commissioner is delegated the authority to approve such prepayment/waivers on behalf of the Board.
  - 2) Written permission from the Commissioner must be obtained prior to making prepayment or contracting to make prepayment of goods or services before such goods or services are received.
  - 3) The requestor must submit a written request to the Commissioner explaining the circumstances or reasons why the waiver is being sought. A copy of the invoice or contract showing the prepayment terms must be attached to the request.
  - 4) Registration fees for conventions and conferences and deposits for hotel fees may be paid in advance and do not require permission/waiver by the Commissioner
  - 5) If federal funds are to be used to prepay multi-year services or licensing, the requestor must ensure that the prepayment conforms to the federal grant regulations and requirements. The requestor must provide documentation to the Commissioner, as part of the written request for a waiver, indicating that the prepayment conforms to the federal grant regulations and requirements.
  - 6) A waiver from the Commissioner is not required in order to pre-pay a single payment within a fiscal year for the rental of a post office box, membership dues, subscriptions and software maintenance fees.
  - 7) A waiver from the Commissioner is not required in order to pre-pay up to twelve monthly payments in a fiscal year for rent (i.e., land, buildings, office space, office equipment, etc.), maintenance fees, operating fees, (i.e., application service provider [ASP] fees) and leases (i.e., vehicle or equipment).
  - 8) All multi-year prepayments require a waiver granted by the Commissioner.
4. **DSU** – Approved the request to restate and extend the existing contract with Aramark Educational Services, LLC, for the food service management agreement. The purpose of this amendment is to maintain uninterrupted food services on DSU’s Cleveland campus, while obtaining additional financial commitments from Aramark in the form of capital investments,

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scholarships, catering credits, meal allowances, etc. The contract extension is for five (5) years, beginning July 1, 2014, and ending June 30, 2019. This is a revenue producing contract for DSU. It is estimated that the university could receive \$5.3 million in revenue benefits over the course of the 5-year extension. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

5. **UMMC** – Approved the request to amend the current lease agreement with Hertz Jackson Two, LLC (Hertz), successor to Parkway Joint Venture, LLC. The amendment is intended to increase the amount of leased space from 2,765 square feet to 5,796 square feet to accommodate the increase in the telehealth services (eICU, emergency telehealth and etc.) UMMC is providing to hospitals across the state and to exercise an opportunity to extend the general lease an additional five years. This amendment will start on June 1, 2014 through May 31, 2019. This will bring the total term of the agreement since inception (September 2009) to approximately ten (10) years. The estimated cost of the amendment will be \$557,575.20. The breakdown of cost is included in the bound *May 15, 2014 Board Working File*. The contract will be funded by patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
6. **UMMC** – Approved the request to enter into a ground lease with The Meridian at Fondren, LLC ("The Meridian") for the development of a mixed use development, including residential apartments, retail, and office space. This is a new ground lease for the property known as "North Lakeland." Currently, the property consists of seven (7) buildings containing UMMC clinics and department offices on approximately 4.4 acres. Under UMMC's Master Plan, these buildings would be replaced by a mixed use development. In June of 2012, UMMC began the process of selecting a developer for the mixed use development. SKD Development was chosen and consists primarily of Stewart Speed, Kassinger Development Group, State Street Group, Niles Bolton Associates, and Neel-Schaffer. SKD Development created the entity The Meridian at Fondren, LLC, to move forward with the project. The Meridian, UMMC, and the adjacent neighborhood have communicated and resolved all issues related to covenants or concerns. Due to concerns regarding the length of the total lease term, the Legislature passed Senate Bill No. 2803, 2014 Regular Session, which authorizes the Board to lease the property for a forty-year term with two optional twenty-year renewal periods. The first renewal period is at the option of the Lessee and the second renewal period is at the option of the Lessor. The bill was effective upon passage and was approved by the Governor. The total estimated revenue to be earned under the ground lease agreement is approximately \$9,480,140.00 before any deductions for credits for environmental hazards and geotechnical testing of an amount up to \$57,500. A breakdown of the costs is included in the bound *May 15, 2014 Board Working File*. A corresponding agenda item related to The Meridian at Fondren is on the Real Estate Regular Agenda. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

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**REAL ESTATE AGENDA**

Presented by Trustee C.D. Smith, Chair

On motion by Trustee Smith, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #1 and #2 as submitted on the Real Estate Agenda.

1. **UMMC** – Approved the request to delete Buildings LJ (768 Lakeland), LG, LE, LF (802 Lakeland), LC (828 Lakeland), LD (826 Lakeland), and LH (838R Lakeland) from inventory and demolish them. The seven existing buildings are located along the north side of Lakeland drive as part of the Meridian at Fondren Development Package. The development project will provide for the demolition of these buildings. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities. A corresponding agenda item related to The Meridian at Fondren is on the Finance Regular Agenda.
2. **UMMC** – Approved the exterior design of “The Meridian” project. The project is currently in the design phase. By a separate agenda item on the Finance Regular Agenda, it was approved for UMMC to enter into a ground lease with the Meridian at Fondren, LLC for the development of a mixed use development on the property north of Lakeland Drive. A copy of the rendering is included in the bound *May 15, 2014 Board Working File*.

**LEGAL AGENDA**

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, with Trustees Robinson absent and not voting, all Trustees legally present and participating voted unanimously to accept the recommendation of the Legal Committee to move agenda items #1 and #2 to the Executive Session Agenda.

1. **UMMC** – Settlement of Tort Claim No. 1947. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**
2. **UMMC** – Settlement of Tort Claims No. 1596 and 1596A. **(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)**

**INFORMATION AGENDA**

Presented by Commissioner Hank M. Bounds

**REAL ESTATE**

1. **System** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 24, 2014 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 5.)**

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**LEGAL**

2. **System** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 6.)

**ADMINISTRATION/POLICY**

3. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 22, 2014, the Commissioner granted retroactive approval to amend a lease agreement with the United States of America (USA) acting by and through the Agricultural Research Service. MSU has stated that a period of staff transition in the department which originated the agreement caused the delay in submission of the agreement to IHL. This agreement is for the lease of approximately 30.7 acres of land on the McNeill sub-unit of MSU’s South Mississippi Branch Experiment Station, Coastal Research and Extension Center in Pearl River County, MS. The acreage will be used by the USA for the cultivation and research of small fruits, vegetables and ornamental vegetation. The annual lease renewal term will potentially run for a period of ten (10) years, October 1, 2013 through September 30, 2023. Annual renewal is available at the option of the USA/Lessee upon thirty (30) days notice to MSU and subsequent approval by the Commissioner. The USA will pay MSU a nominal rent fee of \$1 yearly and will maintain the cultivated acreage. The Executive Office legal staff have reviewed and approved the contract documents.
  - b. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 24, 2014, the Commissioner approved the request by MSU on behalf of its Delta Research and Extension Center (DREC) to enter into a lease agreement with Rex Livingston (Lessor). The agreement is for the lease of approximately 22 acres of land in Washington County, MS. The land, which is located adjacent to DREC, will be used to conduct row crop research. The primary lease term will commence upon execution by both parties and run through March 31, 2015. Upon mutual agreement of the parties, the lease will be renewed for a maximum of four (4) one year terms or through March 31, 2019. MSU will pay \$4,400 annually for the lease of the acreage. The total cost for the five (5) year lease term is \$22,000. In addition to rent costs, MSU will return the acreage to its prior condition at the conclusion of the lease term. This agreement is funded by Section 32 Funds. The Executive Office legal staff have reviewed and approved the contract documents.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

- c. **SYSTEM** - On April 24, 2014, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2014 and ending March 31, 2014. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

**ANNOUNCEMENTS**

- President Patterson noted the next Board meeting was originally scheduled to take place at Alcorn State University in Lorman, MS. The Board will now meet in Jackson on June 19 and at Alcorn on November 20. The Health Affairs Committee will meeting immediately following the Board meeting.

**ACADEMIC AFFAIRS COMMITTEE REPORT**

May 15, 2014

The Committee was brought to order by Chairman Ford Dye at 8:30 a.m. The following items were discussed:

1. On motion by Trustee Blakeslee, seconded by Trustee Smith, with Trustee Robinson absent and not voting, all Committee members legally present and participating voted unanimously to authorize the planning of the following new degree programs:
  - a. ASU – Bachelor of Arts in Music degree (CIP 50.0901)
  - b. DSU – Bachelor of Business Administration in Health Care Administration degree (CIP 51.0701)
  - c. DSU – Bachelor of Business Administration in Applied Business degree (CIP 52.0201)
  - d. MSU – Doctor of Philosophy in Kinesiology degree (CIP 31.0505)
  - e. MUW – Master of Fine Arts in Creative Writing degree (CIP 23.0501)
  - f. MVSU – Bachelor of Arts in General Studies degree (CIP 24.0102)
  - g. UM – Bachelor of Business Administration in General Business degree (CIP 52.0101)
  - h. UM – Bachelor of Arts in Arabic degree (CIP 16.1101)
  - i. UM – Bachelor of Arts in Sports Management and Recreation Administration (BASMRA) degree (CIP 31.0504)
  - j. UM – Doctor of Philosophy in Nutrition and Hospitality Management degree (CIP 52.0901)
2. On motion by Trustee Hooper, seconded by Trustee Blakeslee, with Trustee Robinson absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

The following Committee members were present: Dr. Ford Dye (Chair), Mr. Ed Blakeslee, Mr. Shane Hooper and Mr. C. D. Smith. Committee member Robin Robinson was absent. Other Board members attending the meeting were Mrs. Karen Cummins and Mr. Aubrey Patterson.

**FIRST EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Parker, with Trustee Hooper and Robinson absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of three state university litigations matters and  
Discussion of one state university personnel matter.

**During Executive Session, the following matters were discussed and/or voted upon:**

On motion by Trustee Dye, seconded by Trustee Perry, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claims No. 1596 and 1596A styled as *Alicia Small and Kenyotta Johnson vs. UMMC et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Dye, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1947 styled as *Nellie Taylor vs. UMMC, et al.*, as recommended by counsel.

**On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to **recess the Board meeting at 11:22 a.m.** to conduct the Health Affairs Committee meeting.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

**HEALTH AFFAIRS COMMITTEE REPORT**

May 15, 2014

The Committee was brought to order by Chairman Aubrey Patterson. The following items were discussed.

1. The Committee discussed the organizational chart and reporting structure of the University of Mississippi Medical Center. **No action was taken.**
2. The Committee discussed hospital records. **No action was taken.**
3. On motion by Trustee Dye, seconded by Trustee Smith, all Committee Members legally present and participating voted unanimously to approve the committee minutes for the meeting held on April 24, 2014.
4. On motion by Trustee Dye, seconded by Trustee Blakeslee, all Committee Members legally present and participating voted unanimously to adjourn.

The following Committee members were in attendance: Aubrey Patterson (Chair), Ed Blakeslee, Dr. Ford Dye, Shane Hooper, Alan Perry, and Dr. Doug Rouse. Other Trustees attending were Karen Cummins, Bob Owens, Hal Parker, Christy Pickering, and C.D. Smith.

**AT 12:19 P.M. THE BOARD MEETING RECONVENED.**

**SECOND EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Blakeslee, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a state university personnel matter.

**During Executive Session, the following matter was discussed:**

The Board discussed a state university personnel matter. **No action was taken.**

**On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 15, 2014**

**EXHIBITS**

- |           |                                                                                                                                                                                                                                                                               |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit 1 | Memo representing approval by the Mississippi Information Technology Services Board of the continuation of a contractual agreement with Mythics, Inc. and MSU.                                                                                                                |
| Exhibit 2 | Agenda item submission for an agreement on behalf of UMMC and prepared by the Mississippi Information Technology Services' executive staff for its April 17, 2014 Board meeting.                                                                                              |
| Exhibit 3 | Memo representing approval by the Mississippi Information Technology Services Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of licensing, hosting and services related to the Blackboard Learning Management System for USM. |
| Exhibit 4 | Amendments to the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines.                                                                                                                                                           |
| Exhibit 5 | Real Estate items that were approved by the IHL Board staff subsequent to the April 24, 2014 Board meeting.                                                                                                                                                                   |
| Exhibit 6 | Report of the payment of legal fees to outside counsel.                                                                                                                                                                                                                       |

# Memorandum

**To:** Craig P. Orgeron, Ph.D.

**Date:** March 7, 2014

**Re:** Recommendation for Project No. 41155 for the continuation of the Agreement with Mythics, Inc. for support of Oracle software licenses and services for **MISSISSIPPI STATE UNIVERSITY (MSU)**

## **I. BACKGROUND**

On April 26, 2013, MSU received ITS Board approval for the selection of Oracle America, Inc. as the lowest vendor responding to Letter of Configuration (LOC) Number 40161 based on General RFP No. 3670 for the acquisition of an Oracle Software License and Services Agreement. The Board also gave approval for the State to negotiate a contract with Mythics, Inc. as the next lowest vendor in the event that contract negotiations with Oracle were unsuccessful. The State was not able to negotiate a contract with Oracle America, Inc. and the award to Oracle America Inc. was rescinded. Following successful negotiations, the State executed a contract with Mythics, Inc. at a three-year lifecycle cost of \$2,020,512.46. This cost was \$336,518.54 less than the \$2,357,031.00 cost originally proposed by Mythics and approved by the ITS Board.

Historically, Oracle has not allowed resellers to extend contract terms to be longer than three years. Mythics recently informed the State that for a limited time Oracle is offering longer term, multi-year support agreements. Mythics has proposed to extend MSU's current support agreement, capping the cost for Years 4, 5, and 6 at the Year 3 cost of \$620,419.35. The table below compares current yearly costs, assuming Mythics' standard annual 3% increase, against the cost of the proposed multi-year renewal. The table also shows the annual savings should MSU proceed with this renegotiated multi-year renewal.

<b>Year of Support</b>	<b>Current Support with 3% Increase</b>	<b>Support on Multi-Year Renewal</b>	<b>Savings from Multi-Year Renewal</b>
Year 4	\$639,031.93	\$620,419.35	\$18,612.58
Year 5	\$658,202.89	\$620,419.35	\$37,783.54
Year 6	\$677,948.98	\$620,419.35	\$57,529.63
<b>Totals</b>	<b>\$1,975,183.79</b>	<b>\$1,861,258.05</b>	<b>\$113,925.74</b>

## **II. RECOMMENDATION**

The staffs of ITS and MSU jointly recommend approval of the continuation of this Agreement with Mythics, Inc. through June 30, 2019, in an amount not to exceed \$1,861,258.05 for support on Oracle software licenses and services. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$3,881,770.51.

## **III. SOURCE OF FUNDS**

Funding will come from the MSU Education and General Fund.

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Tangela Harrion, Technology Consultant

## DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BOARD MEETING AGENDA

Location: ITS Board Room  
ITS Office Building  
3771 Eastwood Drive  
Jackson, Mississippi 39211

Date: Thursday, April 17, 2014

Time: 11:00 A.M.

Agenda:

- Call to Order
- Introduction of Guests
- Agenda Item No. 1: Approval of March 20, 2014 minutes

**Project for Preliminary Approval of Technology Plan and Procurement Approach, Exemptions, and Planned Purchase Requests is as follows:**

- Agenda Item No. 2: Jill Chastant and Mark Allen, CSIO will present an overview and request to issue Letter of Configuration (LOC) Number 41118, based on General RFP No. 3742, for the acquisition of project management services for the **MISSISSIPPI DEPARTMENT OF HUMAN SERVICES (MDHS)**. The staffs of ITS and MDHS jointly request approval to publish LOC No. 41118 for the acquisition of project management services for the MDHS.

**Projects for Approval of the Recommended Selection/Award are as follows:**

- Agenda Item No. 3: Curtis Ritchey and Dr. Luis Juncos, Professor School of Medicine will present the evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the **UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)**. The staffs of ITS and UMMC jointly recommend the selection of Infian, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of \$ 1,439,835.20.
- Agenda Item No. 4: Patti Irgens and Clay Johnston, MIS Director, will present the recommendation for Project No. 41112 for the continuation of the Agreement with Chop on the Lake Productions for software support and customization for the **MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY (MDPS)**. The staffs of ITS, DFA and MDPS jointly recommend approval of the continuation of this Agreement with Chop on the Lake Productions, Inc. through June 30, 2015, in an amount not to exceed \$26,800.00 for SFAS software support and customization. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$526,009.00.
- Agenda Item No. 5: Kenny Wilson and Rita Rutland, Chief Systems Information Officer (CSIO), will present the recommendation for Project No. 41239 for the continuation of the

## **Memorandum**

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**To:** Craig P. Orgeron, Ph.D.

**Date:** April 15, 2014

**Re:** Evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)

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### **I. BACKGROUND**

The University of Mississippi Medical Center is an 837 bed acute care facility located on a 164-acre campus in Jackson, Mississippi. At the Jackson campus, UMMC operates one general acute teaching hospital and three specialty teaching hospitals. This RFP is for services at the three Outpatient Renal Dialysis Centers, one of which is located at the UMMC Campus and two centers which are located at the Jackson Medical Mall, 350 West Woodrow Wilson Avenue, Jackson, MS

The proposed Clinical Dialysis Electronic Health Records (EHR) software will need to support three outpatient dialysis centers and a total of 41 in-unit dialysis stations and 78 home dialysis units. This encompasses a patient load of approximately 160 in-center patients and approximately 80 home dialysis patients. There are currently eight nephrologists, eight Fellows (Residents) and four nurse practitioners handling the patient load. Yearly growth is expected to be 10 home dialysis patients and 1 physician per year. There are currently 10 personal computers monitoring the in-center dialysis stations which are also used for data entry. There is no remote monitoring of home dialysis units.

Billing services were also requested from all vendors as this functionality is provided by the current vendor.

### **II. PROPOSAL RESULTS**

The release of RFP No. 3711 was approved by the ITS Board on February 21, 2013, and published May 9, 2013. Proposals were due on June 10, 2013. UMMC received 1 proposal from Infian. The vendor's proposal was rejected because they took exception to a mandatory requirement.

RFP No. 3729 was published September 17, 2013, and proposals were due on October 25, 2013. UMMC received proposals from 5 vendors: Cybernplus Medical Ltd, Gaia Software LLC, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Four of the vendor's proposals were rejected because they did not meet all the mandatory requirements. The other vendor was rejected by UMMC as being unacceptable.

RFP No. 3743 was published December 4, 2013, and proposals were due on January 21, 2014. UMMC received proposals from 6 vendors: Cybernius Medical Ltd, Gaia Software LLC, Infian, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Proposals were evaluated by UMMC and ITS staff and one vendor's proposal was rejected for not meeting the 80% Technical Gate.

A Best and Final Offer (BAFO) request with additional requirements was issued to the 5 remaining vendors. The BAFOs were due on March 25, 2014, and all 5 vendors responded. Three vendors were eliminated for not meeting the Meaningful Use requirement. UMMC reserved the right to eliminate vendors who did not meet this requirement.

The remaining two proposals were evaluated by UMMC and ITS staff, and the results are summarized below.

Category Description	Cost	Vendor Requirements	Vendor Hosted Requirements	Clinical Software Requirements	Billing	Cost	Sub-Total	Value Add	Total
Possible Points		4	3	28	20	45	100	5	105
Scoring for Each Vendor									
Cybernius	\$1,750,453.00	3.23	1.80	23.65	18.00	35.29	81.97	0	81.97
Infian	\$1,439,835.20	2.60	2.70	22.40	16.67	45.00	89.37	0	89.37

### **III. RECOMMENDATION**

The staffs of ITS and UMMC jointly recommend the selection of Infian, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of \$ 1,439,835.20.

### **IV. SOURCE OF FUNDS**

The funding source is the Clinical SOM-Medicine-NEPHROL Department.

  
Curtis Ritchey, Technology Consultant

Attachment: Project Proposal and Business Case

## PROJECT PROPOSAL AND BUSINESS CASE

### PROJECT IDENTIFICATION

Agency/Division/Program Area	University of Mississippi Medical Center
Project Manager	Rick Whitehead, <a href="mailto:rwhitehead2@umc.edu">rwhitehead2@umc.edu</a> , 601-815-9940
Name of Project	Dialysis Billing System
IT Plan Project Number	150120
Date Prepared	April 10, 2014

### CURRENT SITUATION AND BUSINESS NEED FOR THE PROJECT

The University of Mississippi Medical Center's (UMMC) current Dialysis Billing System is inadequate to meet the current needs of the Dialysis Centers and is not being maintained to acceptable levels by the vendor.

### PROJECT GOALS AND OBJECTIVES

UMMC is seeking a Dialysis Billing System to be utilized by the hospital's three dialysis centers to provide clinical monitoring and record keeping of dialysis machines, billing for services, medication tracking, laboratory tracking and billing, and automated reporting to government agencies databases.

- **BUSINESS DRIVERS/AGENCY PRIORITY**
  - Dialysis specific Electronic Health Records
  - Direct interface to Dialysis Lab
  - Flexibility in billing software and billing company
  - Compliance with HIPAA, CMS and JCAHO standards
  - Anticipated lifespan of 5+ years before replacement or major upgrade
- **ANTICIPATED BENEFITS:**
  - Lower billing costs due to enhanced billing software
  - Higher patient care quality and safety
  - Increase in staff efficiencies
    - Reduced time for ordering supplies
    - Reduced time for scheduling services
  - Ability to reduce or redirect staff
  - Cost avoidance and/or reduction
  - Increase in collections
  - Improved fraud detection/prevention
  - Reduced billing errors
  - Soft Benefits
    - Additional services provided
    - Increased quality of service
    - Improved decision support

- Meet Statutory Requirements
- Compliance with HIPAA, CMS and TJC standards
- Compliance with Crown Web reporting

## PROPOSED SOLUTION

Issue an RFP for a new Dialysis Billing System to replace the current system.

## CRITICAL SUCCESS FACTORS

- Provides clinical monitoring and record keeping of dialysis machines
- Billing for services
- Medication tracking
- Laboratory tracking and billing
- Automated reporting to government agencies

## RISKS

- Lower patient care quality and safety
- Higher operating costs due to extra time spent on billing and laboratory tasks
- Higher billing costs due to lack of flexibility in vendors
- Lack of compliance with statutory requirements resulting in non-reimbursements
- Delayed purchases of patient-care supplies

## ASSUMPTIONS

- The budget allocation is sufficient to fund all costs of the project
  - The funding source is the Clinical SOM-Medicine-NEPHROL Department
- Resources are available and will be scheduled to ensure deadlines are met

## DEPENDENCIES

N/A

## COLLABORATION

N/A

## IMPACT IF NO ACTION TAKEN

- Hamper patient care
- Put patients at risk
- Puts staff and hospital at risk

## TECHNICAL ENVIRONMENT AND HOSTING

The Data Center will provide the following functions and services:

- Medical record repository
- Medical Record/software licenses
- Data Center / RDBMS operation (HIPAA compliant)
- Help desk / pager service (24x7)
- Firewall/VPN operation
- Encrypted/secure communications
- Nightly backup
- Automated off-site backup storage
- Disaster recovery plan/facilities

## INFORMATION TECHNOLOGY SECURITY

UMMC policies are compliant with HIPAA, CMS and JCAHO standards. All UMMC employees must follow these procedures to access data.

Access to the medical record is first governed by two logon processes, one at the operating system level, the second at the user level. A user must have an account and password for both the operating system and the medical record.

Within the medical record, access is governed by the role/clinical discipline of the user, which provides default data access (access to specific medical record-keeping areas) as well as clinical function access (access to specific medical record-keeping functions, e.g. medication order administration). Data access is provided to individual users on four levels: view, create, modify and discard.

Access to individual screens is defined by data level access; access to modify individual fields on a given screen is defined by clinical function based access.

## DISASTER RECOVERY / BUSINESS CONTINUITY

UMMC has a Disaster Recovery Plan to prepare UMMC in the event of disruptions affecting corporate local area networks (LAN), wide area networks (WAN), Internet access and wireless network services due to factors beyond our control (e.g., natural disasters or man-made events). This plan will also guide restoration of network integrity and normal operations to the widest extent possible in a minimum time frame. All UMMC locations that are connected to the WAN are expected to implement preventive measures whenever possible to minimize operational disruptions and to recover as rapidly as possible when an incident occurs.

This plan identifies vulnerabilities and recommends necessary measures to prevent extended network outages. It is a plan that encompasses all UMMC network operations in all locations.

This plan identifies vulnerabilities and recommends measures to prevent extended network outages. All systems hosted by UMMC are backed up daily.

**FUNDING**

Based upon a three year contract with two additional years as an optional renewal, UMMC is partnering with a vendor that all software fees is equal to an anticipated range of 2.7% and 3% of gross collections, except for the initial start-up cost and \$5,000 per year support costs listed below.

**PROJECT COST / RESOURCE ESTIMATE SUMMARY**

Based upon a three year contract with two additional years as an optional renewal

**LIFECYCLE COST ESTIMATE:**

		<b>Direct Costs</b>	<b>E- Prescribe</b>	<b>Fees and Support*</b>	<b>Total Cost per Year</b>
Year 1	Start-Up Costs				
	Implementation	\$8,000			
	Onsite Initial Training	\$12,000			
	Software Licensing	\$7,800			
	Hardware	\$15,755			
	On-going Training	\$13,200			
Year 1			\$16,900	\$243,000	\$316,655
Year 2			\$17,745	\$250,290	\$268,035
Year 3			\$18,590	\$257,799	\$276,389
Optional Year 4			\$19,435	\$265,532	\$284,967
Optional Year 5			\$20,280	\$273,510	\$293,790
<b>Total</b>		<b>\$56,755</b>	<b>\$92,950</b>	<b>\$1,290,130</b>	

**Five Year Grand Total as Projected: \$1,439,835**

\*Fees based on 2.7% of gross collections

**COST BENEFIT ANALYSIS / RETURN ON INVESTMENT**

With the expected improvements in efficiency, gross collections are expected to increase by approximately 3% each year. While the corresponding software fees will also increase proportionately, each year's increase in gross collections will cover the fee costs and include an anticipated \$19,000 to \$22,000 surplus. In addition, the current billing system's fees are at 4%. With the new fee structure at 2.7%, there will be additional surplus anticipated between \$117,000 and \$131,000 annually.

The total 5-year fee surplus based on the new fee structure compared to the old fee structure is anticipated to be \$723,180. Subtracting the initial Implementation (\$56,755) and the 5-year cost for e-Prescribing (\$92,950) from the fee structure surplus results in an overall cost savings for this project of \$573,475 over 5 years.

<b>Year</b>	<b>Gross Collections</b>	<b>Program Fees at 2.7%</b>	<b>Additional Collections</b>	<b>Savings compared to current 4%</b>	<b>Fee Surplus for Implementation of the New System</b>
Year 1	\$9,000,000	\$243,000	\$262,136	\$117,000	\$136,136
Year 2	\$9,270,000	\$250,290	\$270,000	\$120,510	\$140,220

Year 3	\$9,548,100	\$257,799	\$278,100	\$124,125	\$144,427
Year 4	\$9,834,500	\$265,532	\$286,400	\$127,849	\$148,717
Year 5	\$10,130,000	\$273,510	\$295,500	\$131,690	\$153,680
Total over 5 Years		\$1,290,130	\$1,392,136	\$621,174	\$723,180

**ALTERNATIVES TO THE PROPOSED SOLUTION**

Other Options Considered	Reasons for Rejecting Alternative Solution
Use the current EPIC billing system	The current EPIC billing module was explored, but UMMC determined that it does not meet the unique needs of the Dialysis Centers, such as automated ordering of dialysis supplies and interfacing with dialysis laboratories. It also does not handle the required billing services.

# Memorandum

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**To:** Craig Orgeron, Ph.D.

**Date:** March 7, 2014

**Re:** Recommendation for Project No. 40758 for the continuation of the Agreement with Blackboard, Inc. for the acquisition of licensing, hosting, and services related to the Blackboard Learning Management System for the **UNIVERSITY OF SOUTHERN MISSISSIPPI (USM)**

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## **I. HISTORY AND OVERVIEW OF ACQUISITION**

WebCT was the university's Learning Management System until 2006 at which time it was purchased by Blackboard, Inc. In 2006, the university renewed its use of WebCT through Blackboard on an annual basis. At that time USM chose for Blackboard to host the software. Over time, additional storage and bandwidth was required increasing the costs to the university. The university has since purchased additional online services and products from third party vendors that have now been acquired by Blackboard. Currently, USM utilizes Blackboard as its Learning Management System and for managed hosting to deliver fully online, hybrid, and executive format classes.

As a result of RFP No. 3452, ITS entered into a Master Agreement with Blackboard, Inc. to provide Learning Management System services. In 2013, ITS issued USM a 3- month CP1 to pay for Blackboard services while a Supplement to the ITS Master was being negotiated. Following successful contract negotiations, USM elected to use the ITS Master Contract with Blackboard to sign a one-year Licensing Agreement. At the time of the 2013 Agreement, the Master Agreement was in the last year of its term. ITS has since renegotiated that Master Agreement and has secured guaranteed pricing through 2019. USM is now requesting to leverage the recently negotiated ITS Master Agreement to take advantage of the guaranteed multi-year pricing through September 30, 2019.

This contract will provide access to the Blackboard Learning Management System, also known as Blackboard Learn. Other course delivery tools include Blackboard Collaborate and Course Delivery. The contract also provides a staging server, additional storage, MATLIC Online (instructional and support materials), section merge tool, data integration between Blackboard and Peoplesoft, Mobile services, managed hosting, and platinum package support services.

## II. RECOMMENDATION

The staffs of ITS and USM jointly recommend the approval of the continuation of this Agreement with Blackboard, Inc. through September 30, 2019, in an amount not to exceed \$2,596,009.73 to provide for the licensing, hosting, and services related to the Blackboard Learning Management System. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$3,106,612.69.

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Ben Garrett, Technology Consultant

Attachment: Acquisition Analysis Summary

**Attachment****Acquisition Analysis Summary: Project 40758****BUSINESS DRIVERS/AGENCY PRIORITY:**

- USM's current Blackboard licensing expires on September 20, 2014
- USM has a continuous need for a university-wide Learning Management System.

**ANTICIPATED BENEFITS:**

USM will secure licensing for the next 5 years. Utilizing the ITS Master Agreement will alleviate the need for the university to procure Blackboard Licensing on an annual basis. The 5-year term will also allow the university to lock in pricing for that period.

**RISKS:**

There are no known risks associated with this Agreement.

**LIFECYCLE COSTS:**

Year 1	\$502,670.40
Year 2	\$512,306.00
Year 3	\$521,635.94
Year 4	\$527,146.95
Year 5	\$532,250.44
<b>TOTAL:</b>	<b>\$2,596,009.73</b>

# EXHIBIT 4

May 15, 2014

## **SYSTEM – APPROVAL OF AMENDMENTS TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT (SMART BUSINESS ACT) GUIDELINES.**

### **Section 1. Funding Opportunity Title**

Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Rebate Applications

### **Section 2. Funding Opportunity Purpose/Description**

The Strengthening Mississippi Academic Research Through Business Act (SMART Business Act), as established by Mississippi law, is intended to meet the following goals: stimulate private investment in research and development through partnerships with Mississippi public colleges/universities; increase the competitiveness of Mississippi companies; and improve the economy of the State of Mississippi.

### **Section 3. Eligibility Requirements**

Any natural person, partnership, limited liability company, association, corporation, business trust or other business entity not formed for the specific purpose of acquiring the rebate offered, and which is subject to Mississippi income or franchise tax is eligible to apply (the “Applicant”).

### **Section 4. Application and Submission Information**

#### **1. Requesting an Application Package**

Application information is available online at the Mississippi Institutions of Higher Learning’s (IHL) website ([www.ihl.state.ms.us](http://www.ihl.state.ms.us)).

#### **2. Content and Form of Application Submission**

Application packages will be accepted online at [www.ihl.state.ms.us](http://www.ihl.state.ms.us) and will at a minimum include the items listed below.

- Name, address and tax ID number for the Applicant (to document eligibility of the Applicant/Investor).
- A copy of a Research Agreement between the Applicant and a College or Research Corporation stating their intent to enter into a Research Agreement for Qualified Research with an attached research plan and budget approved by the College or Research corporation. The research agreement must also include an estimated date of completion.
- A statement/assurance that funds from the Applicant/Investor do not originate from any grant, contract or otherwise by another person or governmental entity.
- A letter from the Mississippi Department of Revenue stating that the applicant is subject to Mississippi income tax or franchise tax.

#### **3. ~~Submission Dates and Times~~**

~~Applications may be submitted during one of two 60-day open enrollment periods that will be publicly announced on an annual basis. Additional open enrollment periods may be announced based on availability of funding.~~

# EXHIBIT 4

May 15, 2014

## Section 5. Application Review Information

Applications will be reviewed for compliance with ~~the legislation~~ Miss. Code Ann. § 37-148-1 through 37-148-9 and IHL Board Policy by the Office of the Commissioner of Higher Education or his designee.

## Section 6. Award Information

### 1. Funding Instrument

Rebate: An Investor (Applicant) incurring qualified research costs subject to a research agreement approved under this act is eligible for a rebate equal to twenty-five percent (25%) of the investor's qualified research costs.

### 2. Funds Available and Anticipated Number of Awards

The total funding support from the State of Mississippi is \$5,000,000 per fiscal year. Each investor incurring research costs approved under this act is limited to a rebate of twenty-five percent (25%) of the investor's qualified research costs not to exceed \$1,000,000 during any fiscal year.

## Section 7. Award Administration Information

A formal notification in the form of a SMART Business Certificate (SBC) will be issued by the IHL to awarded/approved investors within 60 days of the ~~expiration of an open enrollment period~~ receipt of an application. If approval is denied, formal notification including reason(s) for such action will be sent to an investor within the same 60 day period.

## Section 8. Rebate Redemption

To claim a rebate, the investor must submit a rebate allocation claim to the Mississippi Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business certificate issued by the Mississippi Institutions of Higher Learning and proof of payment to the college or research corporation for qualified research conducted according to the research agreement. The IHL may set an expiration date for redemption of rebates with the Mississippi Department of Revenue.

## Section 9. Definitions

"**College**" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

"**Investor**" means a natural person, partnership, Limited Liability Company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax or franchise tax.

"**Qualified research**" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research to the extent funded by any grant, contract or otherwise by another person or governmental entity.

# EXHIBIT 4

May 15, 2014

**"Research agreement"** means a new written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research; however, all qualified research costs generating a rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

**"Research corporation"** means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by a college and all income and profits of the corporation inure to the benefit of the college.

**"Qualified research costs"** means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

**"State"** means the State of Mississippi or a governmental entity of the State of Mississippi.

**"IHL"** means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

**"SMART Business Act"** means Strengthening Mississippi Academic Research Through Business Act.

# EXHIBIT 5

May 15, 2014

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE April 24, 2014 BOARD MEETING SUBMISSION DEADLINE**

**NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL .**

**Change Order Approval Note:** No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.

### **1. ASU– GS 101-294 – Fire Sprinkler**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Atherton Engineers, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 9, 2014

**Project Initiation Date:** March 21, 2013

**Design Professional:** Atherton Engineers

**General Contractor:** TBD

**Project Budget:** \$2,292,079.00

### **2. MSU– GS 105-345 (GC002) – MSU Classroom Building with Parking (Mechanical)**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$5,205.34 and eighty-five (85) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 1, 2014

**Change Order Justification:** **Change Order #1** is necessary to install flowable fill in the former diesel tunnel from the building to the end of the tunnel & waterproof, time extension for delayed HVAC submittals concerning the ice storage tanks, credit for eliminating backflow preventer, credit for eliminating piping no longer needed as part of the modified system and modification of hilti anchors needed for the support of the interior mezzanine.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$5,205.34.

**Project Initiation Date:** August 19, 2010

**Design Professional:** Belinda Stewart Architects, P.A.

**General Contractor:** Upchurch Plumbing, Inc.

# EXHIBIT 5

May 15, 2014

**Project Budget:** \$41,314,339.00

**3. MSU– GS 105-348 – EMC Implementation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Atwell & Gent, P.A.

Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 16, 2014

**Project Initiation Date:** October 18, 2012

**Design Professional:** Atwell & Gent, P.A.

**General Contractor:** TBD

**Project Budget:** \$1,525,000.00

**4. MSU– IHL 205-272 (Phase One Base Building) – Campus Services Shop Building**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Michael T. Muzzi, AIA, AUA, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

**Staff Approval Date:** April 16, 2014

**Project Initiation Date:** October 17, 2013

**Design Professional:** Michael T. Muzzi, AIA, AUA

**General Contractor:** TBD

**Project Budget:** \$2,000,000.00

**5. MUW– GS 104-178 – Fant Library Renovation, Phase I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$17,282.83 and thirty-one (31) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 11, 2014

**Change Order Justification:** **Change Order #8** is necessary to repair two HVAC units to be used for temporary air during the Phase 2 project, re-circuit & control the existing light pole at the NW corner of the site that was disrupted by revisions to the site drainage due to latent conditions, to compensate the steel supplier for additional detailing costs, and to add 15 days to the contract time due to weather delays.

**Total Project Change Orders and Amount:** Eight (8) change orders for a total amount of \$111,587.60.

**Project Initiation Date:** October 20, 2011

**Design Professional:** Burris/Wagnon Architects, P.A.

**General Contractor:** West Brothers Construction, Inc.

**Project Budget:** \$6,800,000.00

# EXHIBIT 5

May 15, 2014

## 6. MVSU– GS 106-237 – Harrison Renovation

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$67,782.20 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 7, 2014

**Change Order Justification:** **Change Order #1** is necessary to switch from TPO to a modified bitumen roof and to switch from prefinished metal to masonry.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$67,782.20.

**Project Initiation Date:** January 20, 2011

**Design Professional:** Pryor & Morrow Architects and Engineers, P.A.

**General Contractor:** Evan Johnson & Sons Construction, Inc.

**Project Budget:** \$17,775,000.00

## 7. UM – GS 107-308 – Union Addition & Renovation

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Eley Guild Hardy Architects. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 14, 2014

**Project Initiation Date:** August 186, 2011

**Design Professional:** Eley Guild Hardy Architects

**General Contractor:** TBD

**Project Budget:** \$50,000,000.00

## 8. UM– IHL 207-361 – Lamar Hall Phase IIB

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$192,488.58 and thirty-nine (39) additional days to the contract of D. Carroll Construction, LLC.

**Staff Approval Date:** April 14, 2014

**Change Order Justification:** **Change Order #4** is necessary to repair the existing fire rated partitions that were not properly built/sealed during the original building construction, change carpet to match the existing finishes from the Phase I construction, additional sprinkler heads at the existing stairwells & abandoned elevator shafts per code, to extend the boiler stack above the existing stairwell walls per code, installing recessed can lights in the central monumental stair, install door & hardware between offices 253 & 252, and adding additional power/data to multiple locations, additional fire dampers at the Writing Center not shown on drawings, demolition of doors & walls at Suite B and at the third floor not show on drawings, additional data & power at classroom tech #368, relocation of VAV boxes from the corridor to rooms 205 & 275.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$544,261.93.

**Project Initiation Date:** August 16, 2012

**Design Professional:** Barlow Eddy Jenkins Architects, P.A.

# EXHIBIT 5

May 15, 2014

**General Contractor:** D. Carroll Construction, LLC

**Project Budget:** \$7,800,000.00

## 9. UMMC – IHL 209-544 – Translational Research Center

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Foil Wyatt Architects and Planners.

**Staff Approval Date:** April 2, 2014

**Project Initiation Date:** November 17, 2011

**Design Professional:** Foil Wyatt Architects and Planners

**General Contractor:** TBD

**Project Budget:** \$43,032,000.00

## 10. UMMC – IHL 209-544A – Contract I – Site Work/Equipment Procurement – Translational Research Center

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Waiver of Design Development Documents** as submitted by Foil Wyatt Architects and Planners.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Foil Wyatt Architects and Planners, design professional.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

**Staff Approval Date:** April 2, 2014

**Project Initiation Date:** November 17, 2011

**Design Professional:** Foil Wyatt Architects and Planners

**General Contractor:** TBD

**Project Budget:** \$43,032,000.00

## 11. UMMC – IHL 209-548 – School of Medicine - Utilities

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$6,082.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$4,551.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

**Staff Approval Date:** April 11, 2014

**Change Order Justification:** **Change Order #2** is necessary to change material for approximately 270 linear feet of underground, double-wall fuel oil piping to eliminate steel outer cladding, and to utilize the reinforced fiberglass for outer cladding material.

**Change Order #3** is necessary to change material for all 3-in header piping, 2-in branch piping, valves, fittings, and specialties that are part of the water softener skid. The skid supports, hangers, and configuration will be modified to accommodate PVC piping.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$19,405.00.

# EXHIBIT 5

May 15, 2014

**Project Initiation Date:** August 15, 2013

**Design Professional:** Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture

**General Contractor:** Fountain Construction Company, Inc.

**Project Budget:** \$10,000,000.00

## **12. UMMC– IHL 209-550 – Wiser Women’s Urgent Care Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by The McCarty Company Design Group, P.A.

**Staff Approval Date:** April 16, 2014

**Project Initiation Date:** January 16, 2014

**Design Professional:** The McCarty Company Design Group, P.A.

**General Contractor:** TBD

**Project Budget:** \$1,682,000.00

## **13. USM– GS 108-261 – School of Nursing Building**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 11, 2014

**Project Initiation Date:** September 17, 2009

**Design Professional:** Studio South/Eley Guild Hardy Architects

**General Contractor:** Hanco Corporation

**Project Budget:** \$30,000,000.00

## **14. USM– GS 108-267 – College of Business Building**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the amount of \$315,939.79 and ten (10) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 1, 2014

**Change Order Justification:** **Change Order #12** is necessary to change the cement terrazzo to epoxy terrazzo on the first floor, changing two marker boards to tempered glass visual display boards, electrical changes to the elevators that are required, providing additional steel to support architectural precast concrete at the west porch and electrical circuit changes that are required.

**Total Project Change Orders and Amount:** Twelve (12) change orders for a total amount of \$841,700.55.

**Project Initiation Date:** March 2, 2005

**Design Professional:** Studio South/Eley Guild Hardy Architects

**General Contractor:** Hanco Corporation

**Project Budget:** \$34,000,000.00

# EXHIBIT 6

May 15, 2014

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

### **Legal fees approved for payment to outside counsel in relation to litigation and other matters:**

Payment of legal fees for professional services rendered by Shulman, Rogers, Gandal, Pordy & Ecker (statement dated 3/24/14) from the funds of Mississippi State University. (This statement, in the amount of \$422.24, represents services and expenses in connection with the Nextel/Spring Rebanding Project.)

**TOTAL DUE.....\$ 422.24**

Payment of legal fees for professional services rendered by Ware/Gasparian (statements dated 4/1/14 and 4/3/14) from the funds of Mississippi State University. (These statements, in the amounts of \$93.00 and \$2,000.00, respectively, represent services and expenses in connection with labor certifications.)

**TOTAL DUE.....\$ 2,093.00**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 3/20/14) from the funds of the University of Mississippi Medical Center. (This statement in the amount of \$7,640.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 7,640.00**

Payment of legal fees for professional services rendered by Jones Walker (statements dated 3/3/14 and 3/21/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$143.50 and \$266.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 410.00**

Payment of legal fees for professional services rendered by Kitchens, Hardwick & Ray (statements dated 4/5/14, 4/5/14, 4/5/14, 4/5/14, 4/7/14 and 4/7/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$1,699.50, \$6,022.50, \$891.00, \$660.00, \$1,105.50 and \$445.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,824.00.**

# EXHIBIT 6

May 15, 2014

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 3/24/14) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$15,670.88, \$1,206.60 and \$96.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 16,973.48**

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 4/8/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$16.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 16.50**

## **Legal fees approved for payment to outside counsel in relation to patent and other matters:**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/15/13, 11/15/13, 12/18/13, 1/14/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 3/17/14, 3/17/14, 3/17/14, 3/17/14 and 3/17/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,615.00, \$5,956.00, \$3,729.50, \$50.00, \$435.00, \$560.50, \$3,017.50, \$303.00, \$570.00, \$543.00, \$28.50, \$74.00, \$38.00 and \$36.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 17,956.00**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 3/24/14) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: "Trademark Application for the Centennial Anniversary" - \$1,200.00.)

**TOTAL DUE.....\$ 1,200.00**

**MINUTES OF THE HEALTH AFFAIRS COMMITTEE**  
**THE BOARD OF TRUSTEES OF**  
**STATE INSTITUTIONS OF HIGHER LEARNING**  
**June 12, 2014**

**BE IT REMEMBERED**, That the Health Affairs Committee for the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met at the Walker's Drive-In in Jackson, Mississippi, at 5:30 p.m., and pursuant to notice in writing, to each and every member of said Committee, said date being at least five days prior to this June 12, 2014 meeting. At the above-named place there were present the following members to wit: Aubrey Patterson (Chair), Ed Blakeslee, and Shane Hooper. Committee Members Dr. Ford Dye, Alan Perry and Dr. Doug Rouse were absent. Mr. Bob Owens also attended the meeting. The Committee was called to order by Chairman Aubrey Patterson.

The Committee received a presentation from the Kurt Salmon group, a global management consulting firm, regarding the institutional strategic plan for the University of Mississippi Medical Center. **No action was taken.**

**ADJOURNMENT**

There being no further business to come before the Committee, on motion by Trustee Hooper, seconded by Trustee Blakeslee, all Committee Members legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

# CONSENT AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**June 19, 2014**  
**Page 1 of 37**

**1. ASU-MISSISSIPPI INFORMATION TECHNOLOGY SERVICES AGREEMENT  
WITH BLACKBOARD, INC.**

The following document represents the approval of the MS-ITS Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of software and services for a learning management system hosted by Blackboard for Alcorn State University (ASU). The Attorney General's staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of ASU.

See next page.

Effective Date 05/01/2014

Expiration Date 09/14/2016

Date Printed 06/09/2014

Procurement Type COMPETITIVE PROCUREMENT

**CP-1 Acquisition Approval Form**  
**Dept. of Information Technology Services**  
**3771 Eastwood Dr.**  
**Jackson, MS 39211**  
**(601) 432-8000**

Page: 1

**CP-1 20140615**  
**Contract IT20120099**

Acquisition Method: PURCHASE

This document is your authorization from ITS to purchase the following products and/or services from the vendor listed, at or below the prices itemized. If no vendor is listed, proceed according to ITS exemption instructions or instructions included on the Planned Purchase Approval Letter accompanying this CP-1. This procurement is contingent upon availability of funds and will not become final until the vendor has received your purchase order. Keep this form with your financial records as an audit trail of ITS procurement approval.

For additional information regarding the ITS Procurement Process and CP-1 Approval Documents, refer to the ITS Procurement Handbook, located at <http://www.its.state.ms.us/its/procman.nsf>. The following sections of the Procurement Handbook include information specifically related to CP-1 approvals: 009-025, 013-040, and 013-080.

If you need additional assistance regarding this CP-1, please contact the ITS Procurement Help Desk at 601-432-8166 or e-mail [isshelp@its.state.ms.us](mailto:isshelp@its.state.ms.us).

Alcorn State University ATTN: Stanley Stephney 1000 ASU Drive Alcorn State, MS 39096	<b>PLACE ORDER TO:</b> V0001693234 BLACKBOARD INC 650 MASSACHUSETTS AVENUE NW 6TH FL WASHINGTON DC 20001 ATTN: ORDER TO  <b>MAKE PAYMENT TO:</b> V0001693234 BLACKBOARD INC 650 MASSACHUSETTS AVENUE NW 6TH FL WASHINGTON DC 20001 ATTN: ORDER TO
-----------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>MAX ANNUAL % INCREASE</b>	0.00	<b>CP1 LIFECYCLE LIMIT</b>	431,586.47	<b>NUMBER OF PAYMENTS</b>	1
This learning management system will be used to facilitate online courses for up to 4,000 users. This procurement approval falls within the ITS Director Approval threshold for IHLs, as outlined in 018-030 of the ITS Procurement Handbook. A Supplement to the Master License and ASP Agreement has been executed.					

APPROVED ITS DATE 05/27/2014



## PRODUCTS AND SERVICES PURCHASE DETAILS

QTY	PRODUCTS	EACH NET	EXTENDED NET
	Blackboard Hosted Solution		
1	5/1/2014 - 9/14/2014	58,699.47	58,699.47
1	9/15/2014 - 09/14/2015	181,594.00	181,594.00
1	9/15/2015 - 09/14/2016	191,293.00	191,293.00

TOTAL

MAXIMUM

431,586.47

COMMODITY CODES -- 61921000000, 61902000000

DISTRIBUTION TODonna Hayden - EMAIL [dhayden@alcorn.edu](mailto:dhayden@alcorn.edu)

PRNO	ATHY	REPLACEMENT	RFP No(s)
TAW00-41016-1	DIRECTOR APRV	SUBSEQUENT	3452

Effective Date 05/01/2014  
Expiration Date 09/14/2016  
Date Printed 06/09/2014  
Procurement Type COMPETITIVE PROCUREMENT

**CP-1 Acquisition Approval Form**  
**Dept. of Information Technology Services**  
3771 Eastwood Dr.  
Jackson, MS 39211  
(601) 432-8000

Page: 2  
**CP-1 20140615**  
**Contract IT20120099**  
Acquisition Method: PURCHASE

**CP-1 LIFECYCLE REPORT**

**Product/Services**

Blackboard Software Licensing and Services for 2.5 Years

Payment frequency MAXIMUM  
Max Annual % Increase 0.00

	YEAR	PERIOD	PAYMENT AMOUNT	# PMTS	TOTAL FOR YEAR
	1	05/01/2014	431,586.47	1	431,586.47
Total				1	431,586.47

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**June 19, 2014**  
**Page 2 of 37**

**2. DSU-MISSISSIPPI INFORMATION TECHNOLOGY SERVICES AGREEMENT  
WITH ELLUCIAN COMPANY, L.P.**

The following document represents the approval of the MS-ITS Board of the continuation of a contractual agreement with Ellucian, L.P. for technology management services for the Delta State University (DSU) through June 30, 2015, in an amount not to exceed \$1,700,000.00. The current contract included a provision that requires written notice of a party's intent to terminate the agreement at least twelve months prior to the date of expiration of the existing term. Without proper written notice, the agreement will automatically extend for one additional year, with all the same terms and conditions then in effect. DSU plans to notify Ellucian prior to June 30, 2014 that the agreement will terminate and that DSU will issue a request for proposals during the next year.

See next page.

**DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
BOARD MEETING AGENDA**

**Location:** ITS Board Room  
ITS Office Building  
3771 Eastwood Drive  
Jackson, Mississippi 39211

**Date:** Thursday, May 15, 2014

**Time:** 11:00 A.M.

**Agenda:**

- Call to Order
- Introduction of Guests
- Agenda Item No. 1: Approval of April 17, 2014 minutes

**Project for Preliminary Approval of Technology Plan and Procurement Approach, Exemptions, and Planned Purchase Requests is as follows:**

- Agenda Item No. 2: Jill Chastant, Steve McClellan, VP Finance and Administration, and Dr. Myrtis Tabb, Associate VP Finance and Administration, will present Project No. 41330, requesting approval of an exemption for **DELTA STATE UNIVERSITY (DSU)** to request proposals for the acquisition of technology management services and continuation of the Agreement with Ellucian Company L.P. for technology management services. The staffs of ITS and DSU jointly recommend approval of the exemption request at a total estimated five-year lifecycle cost of \$8,500,000.00. DSU will solicit proposals in accordance with all statutory requirements for such acquisitions. The staffs of ITS and DSU also jointly recommend approval of the continuation of the Agreement with Ellucian Company L.P. through June 30, 2015, in an amount not to exceed \$1,700,000.00.

**Projects for Approval of the Recommended Selection/Award are as follows:**

- Agenda Item No. 3: Patti Irgens, David Chou, CIO, and Mary Guest, Information Systems Contract Administrative Manager will present the recommendation for Project No. 41241, submitted under the ITS Planned Purchases Procedure for Fiscal Years 2014 through 2016 by **THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)**. The staffs of ITS and UMMC jointly recommend approval of the planned purchases request to purchase a three-year Campus Agreement using the Microsoft Express Products List from Dell at a cost not to exceed \$3,898,190.46 during Fiscal Years 2014-2016.
- Agenda Item No. 4: Patti Irgens and Cindy Crocker, MAGIC Project Director will present Project No. 41301, recommendation for RFP No. 3542-41301 for the continuation of the Agreement with Salvaggio, Teal & Associates (STA Consulting) for the acquisition of Independent Validation and Verification services for the **MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA)**. The staffs of ITS and

DFA jointly recommend approval of the continuation of this Agreement with STA Consulting through December 31, 2015, in an amount not to exceed \$2,193,777.00 for the acquisition of software and implementation services. With this continuation, the revised total not-to-exceed lifecycle cost of this project is \$11,835,178.35.

- Agenda Item No. 5: Ben Garrett and Cindy Crocker, MAGIC Project Director will present the request for delegating to the ITS Executive Director approval of the awards for Letter of Configuration (LOC) No. 40607 based on General RFP No. 3742, for the acquisition of professional services to assist in supporting ongoing MAGIC operations following Phase I Go-Live for the Magic Project Office of the **MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA)**. The staffs of ITS and DFA jointly request that the approval of the contract awards for this project be delegated to the ITS Executive Director at an amount not to exceed \$5,574,400.00.

**Other items being presented are as follows:**

- Agenda Item No. 6: Report by Dale Smith, Deputy Executive Director and Chief Financial Officer, on the Mississippi Department of Employment Security (MDES) Unemployment Insurance (UI) System and UI Modernization Consortium.
- Agenda Item No. 7: Report by Executive Director of Director Approval Summary of equipment, software and services, exemptions and sole sources procurements approved.
- Agenda Item No. 8: Verification of Quorum for the next ITS Board Meeting scheduled for Thursday, June 19, 2014.
- Approval of Per Diem
- Adjournment



Craig P. Orgeron, Ph.D.



# Delta State University

Office of the President

April 28, 2014

Dr. Craig Orgeron, Executive Director  
Mississippi Department of Information Technology Services  
3771 Eastwood Drive  
Jackson, MS 39211

Dear Dr. Orgeron:

Delta State University requests an exemption from the Mississippi Department of Information Technology Services (ITS) to handle the procurement project for the management of our technology management service, without the involvement of ITS. Delta State successfully handled this procurement project in 2004 and seeks the approval to do so again. Delta State has the in-house resources and expertise to procure these resources.

Delta State University has a contract with Ellucian Company L.P. (originally SunGard Collegis, Inc) which has been in existence since 2004 and which will expire on June 30, 2014. This contract includes the following provision which requires at least twelve months' prior notice of a party's intent to terminate the agreement:

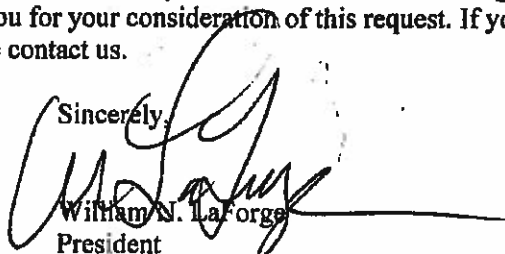
**8.2 Extension.** Unless either party notifies the other in writing no less than at least twelve (12) months prior to the date of expiration of the then existing term of this Agreement, the Term of this Agreement shall be automatically extended for one (1) additional year, all on the same terms and conditions then in effect.

Since the University has not yet notified Ellucian of any intent to terminate the agreement prior to the June 30, 2014 expiration date, the expectation is that the contract will continue in effect for another year (ending June 30, 2015). The University respectfully requests permission to comply with this contractual provision in the existing agreement. Allowing the University to adhere to this clause will insure that there is no disruption in the critical technology services provided to the campus.

Delta State University plans to notify Ellucian prior to June 30, 2014 that the agreement will terminate and that Delta State will issue a request for proposals during the next year, for the management of all three of our technology management service areas: Information Technology Services, Technology Learning Center, and Telecommunications. The contract will begin after the successful completion of the bid process and is not expected to exceed \$1.7 million, annually for personnel and services costs. The length of the contract will be 5 years.

Mr. Steve McClellan, Vice President for Finance and Administration, or Dr. Myrtis Tabb, Associate Vice President, Finance and Administration will attend the May 15, 2014 ITS Board meeting and request this exemption on the University's behalf. Thank you for your consideration of this request. If you have any questions or need additional information, please contact us.

Sincerely,



William N. LaForge  
President

Post Office Box A-1 • Cleveland, MS 38733 • Phone: 662-846-4000 • Fax: 662-846-4014

[www.deltastate.edu](http://www.deltastate.edu)

## Exemption Request

<b>Project Title:</b> OIT Services- Delta State University			<b>Stimulus (ARRA) Funds?</b> Yes <input type="checkbox"/> no <input checked="" type="checkbox"/> x		
<b>Customer Contact Information</b>					
<b>Agency/Institution:</b> Delta State University Attn: Myrtis Tabb <b>Address:</b> Kent Wyatt Hall, Suite 249 Cleveland, MS 38733			<b>Contact Person:</b> Steve McClellan, Vice President and Myrtis Tabb, Associate Vice President. <b>Phone:</b> 662-846-4023 <b>Fax:</b> 662-846-4025 <b>Email Address:</b> <a href="mailto:sjmcclellan@deltastate.edu">sjmcclellan@deltastate.edu</a> / <a href="mailto:mtabb@deltastate.edu">mtabb@deltastate.edu</a>		
<b>SAAS Codes (only required from state agencies)</b> <b>Provider Code:</b> <b>Agency Code:</b>			<b>Division/Dept:</b> Finance and Administration <b>Handmail:</b> x <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Project Summary: Procurement of Technology Management Services</b>					
<b>Narrative Description of Project:</b>  <p>Delta State University requests exemption from the Mississippi Department of Information Technology Services (ITS) to handle the procurement project for the management of the University technology management services, without the involvement of ITS. This project will include the leadership, management, and campus services for all three of the University technology services areas: Information Technology Services, Technology Learning Center and Telecommunication. The vendor selected will provide leadership, vision, planning, guidance, and execution in the development of information resources strategies and information technology initiatives to promote designs, management and utilization of staff, software, and equipment consistent with the University priorities and strategic goals. The request is not for the purchase of software or equipment.</p> <p>Due to the difficulty in recruiting and maintaining certified, skilled computer professionals and technicians in the Mississippi Delta, Delta State University made a decision in 2003 to issue a request for proposal to provide these services. The University followed the competitive bid process as outlined in state law. In 2004, an agreement was signed between Delta State University and SunGard Collegis, Inc to provide the services as described above. Since that original contract, amendments have been issued to modify and extend the contract with one in 2009, which modified and extended the contract from April, 2009 to June 30, 2014. Ellucian Company, L.P. is the company presently providing the services through a successor by assignment from SunGard Higher Education Managed Services, Inc.</p> <p>This contract includes the following provision which requires at least twelve months' prior notice of a party's intent to terminate the agreement.</p> <p style="text-align: center;"><b>8.2 Extension. Unless either party notifies the other in writing no less than at least twelve (12) months prior to the date of expiration of the then existing term of this Agreement, the Term of this Agreement shall be automatically extended for one (1) additional year, all on the same terms and conditions then in effect.</b></p> <p>Since the University has not yet notified Ellucian of any intent to terminate the agreement prior to the June 30, 2014 expiration date, the expectation is that the contract will continue in effect for another year (ending June 30, 2015). The University respectfully requests permission to comply with this contractual provision in the existing agreement. Allowing the University to adhere to this clause will insure that there is no disruption in the critical technology services provided to the campus. Also, Ellucian maintains a staff of 16 full-time employees on the University campus and this extension would provide sufficient notice if employment changes are necessary at the conclusion of the extension.</p>					
<b>ITS Acquisition Approval (CP-1) should be effective through this date:</b> June, 2015—May, 2020 (Please allow time for all vendor invoices to be paid)					
<b>Cost Estimates</b> <i>Fiscal Year</i>		<b>Initial Costs</b>		<b>Ongoing Costs</b>	
July, 2015- June, 2020		Estimated 1.7 million annually		Annual costs for the life of the five-year contract	
Total		1.7 million		8.5 million	
<b>Time Constraints</b> Item Needed by: If extension granted, July, 2015-June, 2020 Funds Expire:					
<b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds; fund number)					
The University has been executed such as contract for the past 10 years. Funding comes from the E& G funds. It is expected that the new contract will require 1.7 million annually and the funding source will remain the same as previous years.					
<b>Anticipated Lifecycle of Products/System</b> (i.e. estimate years effective use)					
<b>Acquisition Details</b>					
<b>Items Requested:</b>					
<b>Name</b>	<b>Quantity</b>	<b>Description</b>	<b>Building Location(s)</b>		
Leadership and Management of		Information Technology Services,	Bayley		

all University Technology Services		Technology Learning Center, and Telecommunication	
<p><b>Describe platform &amp; infrastructure</b> (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification:</p> <p>The project consists of providing technology leadership, management, and day-to-day operation for all areas of the institutional technology operations, up to and including leadership of the administrative, instructional, desktop services, audio-visual, and telecommunications units and all services provided therein. The scope of the project covers the maintenance and operation of all university systems including; but not limited to, Banner ERP system, Cisco networking infrastructure, Instructure Canvas learning management system, WordPress Web content management system, Nortel telecommunications system, Exchange Email System, and Microsoft and Linux server environment. For a detailed draft work statement, please see the attached file.</p>			
<p><b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?</p> <p>A conference call was held with Tina Wilkins, Procurement Process Specialist, ITS; Leigh Patterson Special Assistant, Attorney General; Cathy Huff, Director, Support Operation, IHL; Steve McClellan, Vice President, Finance and Administration, Delta State University; and Myrtis Tabb, Associate Vice President, Finance and Administration, Delta State University to discuss process and procedure.</p>			
<p><b>Vendors Contacted:</b> (Note: attach written estimates or other information received from vendors)</p> <p>In 2004, the first agreement was negotiated between Sungard Collegis, Inc. and Delta State University to provide management information services in support of the management and operation of Delta State University's Office of Information Technology. Since that original contract, several amendments have been executed to continue this service on the Delta State University Campus. The company is now Ellucian, L.P. as explained earlier in this document. Ellucian maintains a presence on the campus and discussions ensued about the possibility of a contract amendment to the present contract.</p> <p>Daily contact with Ellucian staff is conducted to insure the successful operation of the OIT management of the campus.</p>			
<p><b>Critical Factor(s):</b> (in the selection of a vendor/brand/solution for this acquisition)</p> <p>The university has many critical infrastructure projects underway. It is crucial that the current contractors be allowed to continue working on the projects as a disruption in the projects schedules could create undue hardship on the university and jeopardize the success of the projects. Many of the projects have extremely tight timelines that will create disruptions in other services on campus which will have significant impact on students, faculty and staff if not completed on schedule. These projects include the completion of a campus wide wireless deployment focused on university residence halls and academic areas, deploying and maintaining technology services for the Teach for America Institute (the university is contractually obligated to provide technology for the TFA Institute and not having existing resources could place the university at substantial risk. Phase I of the Calyor White Walters building project, which is scheduled for completion this summer, has many faculty and staff dislocated to other locations on campus awaiting completion of the project and reconnection of their services in new offices and classrooms to the campus information technology infrastructure. Other critical projects include assuring various offices on campus have visibility and access to data through the current business intelligence reporting solution, migrating authentication of account authorization for students network access as the existing product will be decommissioned this fall, and implementing a new internet connection that will allow student increased internet traffic as the existing connection has become saturated. The institution also relies on the contractor for strategic guidance, direction for enhancing business processes, and decisions on use and deployment of technology to assist the university smoothly complete daily operations.</p> <p>Five critical areas under present development:</p> <p><b>Banner</b> – Banner is the university's Enterprise Resource Planning (ERP) system and has been in place since 1996. This system handles all business processes which includes finances, student records, enrollment, academic course, Alumni, financial aid, Human Resources, payroll, and procurement. The ERP system requires a trained and skilled technical staff to handle the daily needs of the campus community and keep the system running optimally. The ERP system was originally a SunGard product which is now assigned to Ellucian.</p> <p><b>Recruiter</b> – Recruiter is the University's Constituent Management System (CMS) that helps our recruiting staff communicate effectively to potential students interested in attending DSU. The recruiter software was moved into production in March after a six month implementation. The Recruiter application will allow admissions staff to increase completed applications and enrolled students, reach best-fit students with the right message, reduce enrollment costs per student, and track and analyze the performance of recruiting efforts.</p> <p><b>Retention</b> – The recently established Student Success Task Force is reviewing best practices surrounding student success and retention. This task force is developing actionable objectives, defining measurable performance indicators, and setting clear targets to achieve institutional goals for student retention.</p> <p><b>Canvas</b> – Canvas is the University's online course management system. In 2013, the University migrated from the previous course management system, Blackboard, to Canvas prior to the Summer semester. The decision to move to campus was a collaborative effort between faculty, OIT staff, and Administrative Council. The procurement of the system was approved by ITS under the existing community college agreement.</p> <p><b>Budget</b> – OIT has been assisting the comptroller and the finance office in developing a new method to complete the annual budget cycle. The new procedure, aimed at reducing the university's overall budget by over \$1million dollars, has also reduced the work hours required to</p>			

complete the budget by over 2.5 months.

Argos – Argos is a newly implemented report writing software that allows the university access to user friendly data from the Banner ERP and Recruiter CMS systems. Report writers from OIT have been developing reports for the Alumni/Foundation Office, Academic Affairs Office, Admissions, Accounts Receivable, Institutional Research, Finance, Graduate and Continuing Studies, Housing, Human Resources, and Student Business Services. The reports help offices help save time and increase efficiencies within the departments. Reports from the Alumni/Foundation area have provided opportunities to increase communication with external university donors providing avenues for increased funding opportunities.

It will be critical for the University to experience no disruption in the OIT services of the campus. The vendor selected through the competitive bid process must have the ability to manage successfully the software that is already in place and familiarity with the current network infrastructure. The vendor selected must have the ability to immediately provide the network management services to maintain the operating efficiency of the current network infrastructure.

#### **Planned Acquisition Method: Competitive Bid Process**

**Describe the manner in which this procurement will be conducted in fulfillment of state law**

The University will follow the competitive bid process as outlined in Section 31-7-13 and require formal sealed bids since this proposal will exceed \$50,000.00. The purchases will be advertised in a local paper and a copy of the notification will be sent to the Mississippi Procurement Technical Assistance Center at [bids@mississippi.org](mailto:bids@mississippi.org).

By my signature, I acknowledge: (1) this agency/institution will follow all applicable laws for public purchasing in the acquisition, including developing open specifications, advertising according to public law, ensuring a thorough and equitable evaluation of all responses, and responding in a timely manner to all public records and post procurement review requests; (2) this agency/institution will negotiate any and all applicable contracts and contract amendments arising from this procurement, with signature authority for the State being delegated by the ITS Executive Director to the executive of this agency/institution; and (3) any protests resulting from this procurement will be heard by the ITS Executive Director and/or ITS Board, in accordance with the ITS Protest Procedure and Policy. Authority of ITS Executive Director to negotiate limitation of liability per MS Code Section 25-53-21(e) cannot be delegated and does NOT apply to this exemption. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/institution is responsible for these charges/costs.

Steve McClellan, Vice President, Finance and Administration  
Name (Agency Head or Institution CIO) / Title

  
Signature Date

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**3. MSU-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENTS**

- a. Agenda Item Request:** Mississippi State University (MSU) requests approval to contract with **United Healthcare Insurance Company** to provide a group health insurance option for graduate assistants, international students and undergraduate students for the 2014-2015 period.

**Contractor's Legal Name:** **United Healthcare Insurance Company (United HC)**, with Holland Insurance Company serving as agent.

**History of Contract:** This is a new contract. While MSU has contracted with this same firm for several years, each agreement stands on its own as a one year agreement. MSU continues to monitor costs and feels that the prices being proposed are competitive in the current market. This agreement is in compliance with The Affordable Care Act requirements.

**Specific Type of Contract:** Group Health Insurance

**Purpose:** The purpose of the program is to ensure that students have access to acceptable health insurance and reasonable rates. The group rate will be at a new premium of \$1,305.00 plus the federal tax of \$116.00 for a total of \$1,421.00, which will be the premium charged per student. This is lower than pricing charged for individual plans "for the same type coverage". This is an increase of about \$165 per year over last year's agreement.

The international students are required by MSU to have health insurance as a condition of being enrolled. International students may opt out by showing evidence of comparable insurance. Domestic student enrollment is voluntary and provided as a service to the students needing this type of coverage.

**Scope of Work:** United HC will contract with MSU to provide health insurance at group rates to graduate students and international students. Under the agreement, United HC will provide group insurance coverage, to include standard medical and pharmaceuticals. MSU will assist in transmitting rosters of student participants to United HC and for collecting student premium payments.

MSU estimates the program will provide insurance to approximately 100 domestic graduate assistants and approximately 530 international students (both graduate and undergraduate) during the coming year.

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**Term of Contract:** The contract is for one (1) year, August 1, 2014, through July 31, 2015.

**Termination Options:** MSU will be able to terminate the agreement at the end of each year. Premium rates are locked in place by a signed application on an annual basis.

**Contract Amount:** MSU anticipates total premium costs to be approximately \$895,000 for FY 2015; however, this amount will be dependent on the number of student participants. MSU anticipates paying approximately \$183,000 toward the estimated total cost.

**Funding Source of Contract:** Funding for this insurance program comes from student payments in the form of charges to student accounts. MSU does reimburse Graduate Assistants for a portion of the insurance premium as part of their graduate assistant stipend.

**Contractor Selection Process:** MSU has been using this firm for several years and is very satisfied with the service and believes the rates are very competitive in the current market. This contract was last bid out two years ago and the current carrier clearly was the best plan for the students.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**b. MSU – PERMISSION TO ENTER INTO A MASTER AGREEMENT**

**Agenda Item Request:** Mississippi State University (MSU) requests permission to enter into an agreement with **Sirsi Corporation d/b/a SirsiDynix** for software for members of the Mississippi Library Partnership. In addition, MSU requests permission to make revisions to items covered by the agreement provided such revisions do not increase any annual expenditure by more than 10%.

This agreement is pending approval by the Mississippi Department of Information Technology Services Board.

**Contractor's Legal Name:** Sirsi Corporation d/b/a SirsiDynix

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**History of Contract:** In 1993, MSU issued a bid for a library automation system and selected Data Research Associates as the vendor. In 2001, Sirsi Corporation purchased Data Research Associates. In 2003, MSU needed either to upgrade to Sirsi Corporation's product line or to issue a bid for a new system. Working with ITS and MSU – Procurement and Contracts, MSU received an exemption from ITS to bid this product on campus. MSU issued a bid and selected Sirsi Corporation which eventually became SirsiDynix. In 2009, MSU entered into a five-year agreement with SirsiDynix to lower its annual maintenance fee.

**Specific type of contract:** Master Agreement

**Purpose:** The purpose of the agreement is to license software used by libraries to manage collections to members of the Mississippi Library Partnership. Members include: Columbus-Lowndes Public Library; East Mississippi Community College; First Regional Library System; Lee-Itawamba Library System; Mid-Mississippi Regional Library System; Mississippi State University; Mississippi University for Women; Oktibbeha County Public Library; Starkville High School; and Tombigbee Regional Library System.

**Scope of Work:** SirsiDynix will license the SirsiDynix Library Automation System software to members of the Mississippi Library Partnership. In addition, SirsiDynix will provide enhancements and maintenance during the term of the agreement.

**Term of contract:** The term of the agreement is five years starting on July 1, 2014 and ending on June 30, 2019.

**Termination Options:** Termination options include the following:

- by either party upon default by the other party if such default is not cured within thirty days of written notice;
- by MSU for convenience by seven days written notice;
- by MSU in the event of a reduction in funds; and
- by MSU if SirsiDynix fails to comply with applicable e-verify provisions.

**Contract Amount:** The total cost of the five-year agreement is \$1,079,210.54.

For the first year of the agreement, MSU will pay SirsiDynix an annual fee of \$203,681.02. For each subsequent year of the agreement, the annual fee will increase by 2.9% over the previous year's annual fee.

**Funding Source for Contract:** Each member of the Mississippi Library Partnership will pay MSU for its portion of ongoing partnership costs including the cost of the

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agreement. Over the term of the agreement, MSU will pay \$356,146.49 in partnership costs with the remaining portion of partnership costs being paid by other members of the partnership.

**Contractor Selection Process:** SirsiDynix has consistently provided good service and the SirsiDynix Library Automation System software is currently used by the members of the Mississippi Library Partnership.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office pending approval by the Mississippi Department of Information Technology Services Board and receipt of the appropriate CP-1 Form. Board staff recommends approval of this item pending approval by the Mississippi Department of Information Technology Services Board and receipt of the appropriate CP-1 Form.

**4. MSU-REQUEST FOR APPROVAL OF BUDGET ESCALATION**

Mississippi State University (MSU) requests permission to escalate its FY 2014 **Mississippi Alcohol Safety Education Program Budget** from \$1,485,371.00 to \$2,041,076.00 using funds provided by class participants. The escalation will be used to meet necessary obligations resulting from greater than anticipated participation in the program.

Mississippi State University FY 2014 Mississippi Alcohol Safety Education Program Budget			
Category	Original FY 2014 Operating Budget	Revision/Escalation	Revised FY 2014 Operating Budget
Salaries, Wages, and Fringe Benefits	\$1,089,909.00	\$ 231,866.00	\$1,321,775.00
Travel and Subsistence	69,000.00	23,726.00	92,726.00
Contractual Services	182,091.00	(10,527.00)	171,564.00
Commodities	48,509.00	31,681.00	80,190.00
Capital Outlay: Non-Equipment	11,000.00	-	11,000.00
Capital Outlay: Equipment	44,298.00	5,336.00	49,634.00
Transfers: Mandatory	40,564.00	-	40,564.00
Transfers: Non-	-	273,623.00	273,623.00

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Mandatory			
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$1,485,371.00</b>	<b>\$ 555,705.00</b>	<b>\$2,041,076.00</b>

**Staff Recommendation:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations to the annual budgets of the several institutions and to the annual budgets of the separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff recommends approval of this item.

**5. MUW – REQUEST FOR APPROVAL OF BUDGET ESCALATION**

Mississippi University for Women (MUW) requests permission to escalate its FY 2014 **Auxiliary Enterprises Budget** from \$4,442,028.00 to \$4,742,028.00 using fund balances not currently authorized for expenditure. The escalation will be used to install fire-suppression equipment and to make other enhancements to student housing.

The increases in Salaries, Wages, and Fringe Benefits and in Travel and Subsistence are reclassifications from Contractual Services. The net adjustment to Contractual Services is less than Salaries, Wages, and Fringe Benefits and Travel and Subsistence because of painting and other Contractual Services associated with enhancements to student housing.

<b>Mississippi University for Women FY 2014 Auxiliary Enterprises Budget</b>			
<b>Category</b>	<b>Original FY 2014 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2014 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$ 499,802.00	\$ 292,263.00	\$ 792,065.00
Travel and Subsistence	10,000.00	15,100.00	25,100.00
Contractual Services	3,077,999.00	(202,617.00)	2,875,382.00
Commodities	189,526.00	39,100.00	228,626.00
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	66,000.00	200,000.00	266,000.00
Transfers: Mandatory	-	-	-
Transfers: Non-Mandatory	598,701.00	256,154.00	854,855.00

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Increase in Fund Balance	-	(300,000.00)	(300,000.00)
<b>Total</b>	<b>\$ 4,442,028.00</b>	<b>\$ 300,000.00</b>	<b>\$ 4,742,028.00</b>

**Staff Recommendation:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations to the annual budgets of the several institutions and to the annual budgets of the separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff recommends approval of this item.

**6. UM-PERMISSION TO EXECUTE INSURANCE BINDER**

**Agenda Item Request:** Approval to contract with Aetna Student Health for health insurance for graduate assistants and international students.

**Contractor's Legal Name:** Aetna Student Health

**History of Contract:** This is a new insurance policy, although UM currently provides a similar group health insurance policy through Aetna for students who are employed as graduate assistants and for international students. The current policy term expires on August 14, 2014, and this new policy will have an effective date of August 15, 2014, in order to provide continuous coverage. Competitive bids were solicited prior to the current policy, and while the current policy allows for renewal, UM is seeking approval of the new policy in that some policy terms have been amended to meet requirements of the Affordable Care Act.

**Specific Type of Contract:** Aetna will partner with UM in providing health insurance at group rates to graduate assistants and international students. The former students are required by UM to have health insurance as a condition of being employed and the latter students are required by federal immigration law to have health and repatriation insurance. Either type of student may opt out by showing evidence of comparable insurance. Aetna will provide the insurance, to include standard medical coverage and pharmaceuticals, and UM assists in transmitting rosters of student participants and collecting student payments.

**Purpose:** The basic purpose of the program is to assure that students have access to health insurance at rates that are lower than individual students could obtain on the open market. The group rate (annual premium of approximately \$1,710) is substantially lower than for an individual insurance plan. Such plans are very common among universities with doctoral programs, with approximately 80% of peer institutions

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having a similar institutionally supported insurance program.

**Scope of Work:** We estimate the program will provide insurance to approximately 700 graduate assistants per year and approximately 350 international students (both graduate and undergraduate).

**Term of Contract:** The contract will be annual, from August 15, 2014 to August 14, 2015, with options for mutually agreed upon annual renewals.

**Termination Options:** UM will be able to terminate the arrangement at the end of each year. Premium rates are locked in place by a signed binder on an annual basis.

**Contract Amount:** The total premium paid is dependent on the number of student participants. Based on prior year participation rates and projected FY2014 enrollment forecasts, the estimated FY2014 net premiums paid are expected to be approximately \$1.9 million. Approximately \$1.2 million of this estimate pertains to graduate assistants and \$750,000 is estimated for international student premiums.

**Funding Source for Contract:** Funding for this insurance program is derived from several sources: direct bursar billings to students, fringe benefit charges built into externally funded contracts and grants, and institutional funds. Graduate assistant premiums are funded from a combination of all three of these sources and international student premiums are completely covered by direct bursar billings.

**Contractor Selection Process:** This vendor was selected following an open bid process following state procurement guidelines prior to FY2014 when Aetna was selected. Although prior Board approval included policy renewal, this submission is made because policy terms are not identical.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

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**7. UM-PERMISSION TO ENTER INTO A FIRE PROTECTION AGREEMENT AND RELATED LEASE AGREEMENT**

**Agenda Item Request:** The University of Mississippi (UM) requests permission to enter into a Fire Protection Agreement with **The City of Oxford, Mississippi**. As part of the agreement, UM will lease 1.7 acres to the city to support construction of a new fire station on McElroy Drive. Although part of the Fire Protection Agreement, the Lease Agreement falls below the threshold requiring Board approval.

**Contractor's Legal Name:** **The City of Oxford, Mississippi**

**History of Contract:** The City of Oxford has provided fire protection services to UM since 1986 through a series of agreements. The most recent agreement will expire on June 30, 2014.

**Specific type of contract:** Fire Protection Agreement and related Lease Agreement

**Purpose:** The purpose of the agreement is for UM and The City of Oxford to share fire protection services through a single fire department. Both parties have determined that sharing such services costs each party less than it would for each party to maintain separate fire departments. Further, sharing such services assures consistent, professional protection for both parties and assures a better staffed, better trained, and better equipped department than either party would be able to maintain separately.

**Scope of Work:** The city will provide UM with fire protection services including the establishment of a fire protection committee, training, inspections and other fire safety measures, fire protection, and other emergency response services. UM will lease to the city 1.7 acres to support construction of a new fire station.

**Term of contract:** The term of the agreement is four years starting on July 1, 2014 and ending on June 30, 2018.

**Termination Options:** The agreement will expire on June 30, 2018.

**Contract Amount:** The total cost of the four-year agreement is estimated to be \$2,549,796.86.

UM will pay The City of Oxford an annual fire protection fee. For the first year of the agreement, the annual fire protection fee will be \$550,000.00. For each subsequent year of the agreement, the annual fire protection fee will be adjusted by the most recent annual Consumer Price Index published by the Bureau of Labor Statistics.

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UM will pay The City of Oxford an annual capital contribution of \$75,000.00 to assist the city in servicing the bonded indebtedness it incurred to finance construction of the new fire station on McElroy Drive. To support construction of the new station, UM will lease to the city 1.7 acres adjoining the new station. The city will pay \$50.00 per year according to the terms of the lease.

	<b>Fire Protection Fee<sup>1</sup></b>	<b>Capital Contribution</b>	<b>Revenue Lease Agreement</b>	<b>Total</b>
Year 1	\$550,000.00	\$75,000.00	\$50.00	<b>\$624,950.00</b>
Year 2	558,250.00	75,000.00	50.00	<b>633,200.00</b>
Year 3	566,623.75	75,000.00	50.00	<b>641,573.75</b>
Year 4	575,123.11	75,000.00	50.00	<b>650,073.11</b>
<b>Total</b>	<b>2,249,996.86</b>	<b>300,000.00</b>	<b>200.00</b>	<b>2,549,796.86</b>

<sup>1</sup> In years 2 through 4 of the agreement, the fire protection fee will be adjusted by the most recent annual Consumer Price Index published by the Bureau of Labor Statistics. For illustrative purposes, UM has used the CPI for 2013 (1.5%).

**Funding Source for Contract:** Educational and General Funds

**Contractor Selection Process:** The City of Oxford has provided fire protection services to UM since 1986 through a series of agreements. The proposed agreement is substantially similar to previous agreements. Bids and/or proposals from contractors other than the city were not requested as the city is the only contractor with the ability to provide such services.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**8. UM-REQUEST FOR APPROVAL OF CPA AUDITING FIRM**

**Agenda Item Request:** The University of Mississippi Research Foundation, an affiliated entity of the University of Mississippi requests approval to engage the

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following CPA firm to conduct its annual audit for fiscal years 2015 and 2016. The IHL Board approved a request from the foundation to contract for its FY 2014 audit at the March 20th meeting. That March request should have been presented for three full years of approval, instead only one year (2014) was actually requested.

**Contractor's Legal Name:** BKD, LLP

**Justification:** As per Board Policy 301.0806 D.9., *the Certified Public Accounting (CPA) firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity's fiscal year for which the audit will be conducted.*

**Staff Recommendation:** Based on Board Policy 301.0806 D.9., *University Foundation/Affiliated Entity Agreements, the CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity's fiscal year for which the audit will be conducted.* Board staff recommends approval of this item.

**9. UMMC-REQUEST FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENTS**

- a. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Abbott Laboratories, Inc.** for 1) the lease of laboratory equipment and, 2) the purchase of equipment maintenance and related supplies for diagnostic testing.

**Contractor's Legal Name:** Abbott Laboratories, Inc. (Abbott)

**History of Contract:** While this is a new agreement, UMMC currently owns a piece of Abbott diagnostic testing equipment and was previously under a contract with Abbott for service for the instrument.

**Specific Type of Contract:** New Master Agreement with accompanying Price Exhibit

**Purpose:** The proposed agreement and accompanying price schedule are for the lease of testing instruments, the purchase of equipment maintenance, and the purchase of related supplies. UMMC will be purchasing supplies for six (6) instruments – three (3) Abbott Architect i1000 instruments and three (3) Abbott TDx/Flx instruments which are already owned by UMMC.

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The instruments and associated supplies are used by UMMC transplantation services to test for infectious diseases that may be transmitted through blood products and/or human organs.

**Scope of Work:** Abbott will provide the following:

- the lease of two (2) Architect i1000 instruments,
- maintenance services for one (1) Architect i1000, owned by UMMC
- maintenance services for two (2) Architect i1000, owned by Abbott, supplies for use with three (3) Architect i1000 instruments and three (3) TDx/Flx instruments, and
- training in the use of the equipment.

UMMC is responsible for properly operating, maintaining and protecting the equipment

**Term of Contract:** The term of the agreement is for five (5) years – on or about July 1, 2014 through June 30, 2019.

**Termination Options:** The agreement may be terminated for the following:

- material breach by either party under the agreement upon sixty (60) days written notice of opportunity to cure by the non-breaching party,
- at any time by either party upon ninety (90) days written notice,
- a failure by Abbott to comply with the federal E-Verify program,
- reduction of funds, and
- by Abbott due to UMMC's unauthorized use of the products.

**Contract Amount:** The total estimated cost for the five (5) year contract term is \$2,853,759, 61. This total includes the following costs:

1. lease of laboratory equipment - \$139,800,
2. purchase of equipment services for all Architect i1000 instruments - \$180,070,
3. shipping costs - \$145,020.28 and,
4. purchase of supplies in the amount that UMMC anticipates purchasing above the minimum amount committed - \$2,388,869.33 *\*commitment of \$222,340 over term*

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** Abbott is an approved vendor contracted with Novation, UMMC's primary group purchasing organization (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

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**Staff Recommendation: Staff Recommendation: Staff Recommendation:**  
**Based on Board Policy 707.01, *Board approval prior to the execution of leases in an amount greater than \$100,000 is required.* The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

- b. Agenda Request Item:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Gambro Renal Products, Inc.** for the purchase of solutions for use in Continuous Renal Replacement Therapy.

**Contractor's Legal Name:** Gambro Renal Products, Inc. (Gambro)

**History of Contract:** This is a new agreement. UMMC previously purchased the solutions through Novation, its Group Purchasing Organization. However, the companies through which the solutions were purchased are no longer on GPO.

**Specific Type of Contract:** Purchase Agreement

**Purpose:** The purpose of this agreement is for the purchase of solutions that are used in the treatment of patients who are receiving Continuous Renal Replacement Therapy (CRRT).

CRRT is a type of low dosage hemodialysis that is provided on a continual basis over an extended period of time in an ICU setting.

**Scope of Work:** Under the agreement, UMMC will purchase the solutions needed for CRRT. The solutions are offered at a fixed price for the term of the agreement.

**Term of Contract:** The term of the agreement is for three (3) years – July 1, 2014 through June 30, 2017.

**Termination Options:** The agreement may be terminated for the following:

- material breach by Gambro upon thirty (30) days written notice of opportunity to cure,
- at any time by UMMC upon thirty (30) days written notice,
- for a failure by UMMC to make timely payment,
- in the event UMMC becomes the subject of insolvency, bankruptcy, or receivership,
- for a failure by UMMC to perform any covenant, condition or undertaking of the agreement, and
- reduction of funds.

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**Contract Amount:** The total estimated cost for the three (3) year contract term is \$1,827,869.50. The annual estimated costs are as follows and include an annual 3% increase in the quantity of boxes purchased:

	Quantity of Boxes/Cases	Cost per Box/Case	Total Cost
Year 1	17411	\$33.50	\$583,268.50
Year 2	17934	\$33.50	\$600,789.00
Year 3	18472	\$33.50	\$618,812.00
Shipping if needed			\$25,000
<b>Total</b>			<b>\$1,827,869.50</b>

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** UMMC sought proposals through Invitation for Bid (IFB) #3556 for the purchase of hemodialysis solutions. Two (2) vendors responded to the IFB – Gambro Renal Products, Inc. and NxStage Medical, Inc. Under the IFB, UMMC had the option to award the bid to multiple vendors if they met the specifications outlined in the bid documents, therefore, UMMC elected to award contracts to both of the responding vendors.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a three (3) year Maintenance Payment Plan Agreement with **Infor, Inc.** This agreement is an addendum to the Master Terms between UMMC and Infor, Inc.

**Contractor's Legal Name:** Infor (US), Inc. formerly Lawson Software Americas, Inc. (Infor)

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**History of Contract:** UMMC originally purchased the Infor Human Resources and Payroll System in 2002 and subsequently the Infor Absence Management module in 2006. With the purchase of this module, UMMC and Infor also negotiated a Master Terms and Conditions Agreement to allow for the purchase of future Infor software modules without extensive contract negotiation.

In November 2008, the IHL Board approved UMMC's purchase of the Infor Enterprise Resource Planning (ERP) software suites to be used in the areas of financials, procurement, and business intelligence for a total cost of \$2,505,800. Of this total, software costs were \$1,580,800, and maintenance fees were \$925,000 with a 4% annual increase allowed for maintenance. The approved contract period was December 1, 2008 to November 30, 2011.

The purchase of a Bronze level maintenance plan was approved by the Board in May 2011 for a three (3) year term (June 1, 2011 through June 30, 2014) at a cost of \$1,648,021.63. At its June 2012 meeting, the IHL Board approved an upgrade in maintenance from the Bronze Maintenance plan to the Silver Maintenance plan which provided a dedicated Support Account Manager, priority status regarding software issues, and a more rapid response time for repairs. The term of the maintenance agreement was for two (2) years, July 1, 2012 through June 30, 2014, at a cost of \$125,000 which increased the overall maintenance agreement cost to \$1,773,021.63.

In October of 2013, the IHL Board approved UMMC's request to amend its Infor Master Terms and Conditions Software End User Agreement to allow for a reconciliation of Management and Employee self-serving licensing from a level of 7,500 users to the current 10,000, adding a cost of \$108,500.00 to the current agreement. In addition, the Master agreement called for Infor to sublicense to UMMC the BSI Software System, which is provided by Business Software, Inc. (BSI). The BSI Software System provides the BSI TaxFactory and Server Platform from Sun (OS) – Solaris (Oracle). BSI required UMMC to sign a Platform Version Change Requirement Agreement, in order to move to a new platform version called Server Platform RS6000, operating system AIX, (Oracle). This allowed the TaxFactory software to migrate to the upgraded Infor platform change. The cost of that amendment was \$119,350.00, which brought the total cost of the Infor agreement to \$1,892,371.63.

Also in October 2013, the IHL retroactively approved an emergency purchase of Micro Focus servers, which were purchased in November 2012. These servers allowed for an upgrade to the current operating platform of the Infor System. The request included using a MicroFocus Compiler and Runtime license upgrade at a

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cost of \$12,840.00 along with a no cost Platform Change Addendum to the Master Agreement.

**Specific Type of Contract:** Addendum to the Master Terms and Conditions Agreement.

**Purpose:** The purpose of the agreement is to purchase three (3) years of software maintenance and support with Infor. This addendum will allow UMMC to continue using the Infor Financial, Human Resources, Grants, and Supply Chain suites as well as download the latest modification to the software. This addendum will also allow UMMC to receive technical support from Infor as needed.

**Scope of Work:** Under the agreement, Infor will provide support and maintenance for the Infor products currently licensed to UMMC, which include the Infor Financial, Human Resources, Grants, and Supply Chain suites. Additionally, Infor will provide for all necessary upgrades or modifications to the system and supply technical support for Infor as required.

**Term of Contract:** The term of the agreement is for three (3) years beginning July 1, 2014 through June 30, 2017.

**Termination Options:** The agreement may be terminated in the event of any reduction in available funds to UMMC, without penalty to UMMC.

**Contract Amount:** The cost of this addendum is \$1,782,088.50 over three (3) years. This will bring the total cost of the Infor maintenance agreement to \$3,674,460.13. The breakdown per year for this addendum is below.

<b>Support Renewal Period</b>	<b>Annual Support Fees</b>
July 1, 2014 through June 30, 2015	\$570,889.45
July 1, 2015 through June 30, 2016	\$593,725.02
July 1, 2016 through June 30, 2017	\$617,474.03

**Funding Source of Contract:** The addendum will be funded by general funds.

**Contractor Selection Process:** UMMC is currently contracted with Infor for the provision of various Human Resource, Supply Chain and Financial Applications.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract*

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*for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- d. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **NxStage Medical, Inc.** for the purchase of solutions for use in Continuous Renal Replacement Therapy.  
**Contractor's Legal Name:** NxStage Medical, Inc. (NxStage)

**History of Contract:** This is a new agreement; however, UMMC has contracted with NxStage for dialysis supplies and equipment since 2008. The Board most recently approved an agreement with NxStage in October 2013 for dialysis equipment and supplies used by patients in a home setting.

**Specific Type of Contract:** Purchase Agreement

**Purpose:** The purpose of this agreement is for the purchase of NxStage PureFlow solution that is used in the treatment of patients who are receiving Continuous Renal Replacement Therapy (CRRT).

CRRT is a type of low dosage hemodialysis that is provided on a continual basis over an extended period of time in an ICU setting.

**Scope of Work:** Under the agreement, UMMC will purchase the solution needed for CRRT. The PureFlow solution is offered at a fixed price for the term of the agreement.

**Term of Contract:** The term of the agreement is for three (3) years – July 1, 2014 through June 30, 2017.

**Termination Options:** The agreement may be terminated for the following:

- for a failure by UMMC to make timely payment,
- in the event UMMC becomes the subject of insolvency, bankruptcy, or receivership,
- for a failure by NxStage to comply with the federal E-Verify program, and
- reduction of funds.

**Contract Amount:** The total estimated cost for the three (3) year contract term is \$1,827,869.50. The annual estimated costs are as follows and include an annual 3% increase in the quantity of boxes purchased:

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	Quantity of Boxes/Cases	Cost per Box/Case	Total Cost
Year 1	17411	\$35.54	\$618,786.94
Year 2	17934	\$35.54	\$637,374.36
Year 3	18472	\$35.54	\$656,494.88
Shipping if needed			\$25,000
<b>Total</b>			<b>\$1,937,656.18</b>

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** UMMC sought proposals through Invitation for Bid (IFB) #3556 for the purchase of hemodialysis solutions. Two (2) vendors responded to the IFB – Gambro Renal Products, Inc. and NxStage Medical, Inc. Under the IFB, UMMC had the option to award the bid to multiple vendors if they met the specifications outlined in the bid documents, therefore, UMMC elected to award contracts to both of the responding vendors.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- e. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a five (5) year software license agreement with **TheraDoc, Inc.**, to provide a clinical expert software system that continuously monitors and analyzes patient data from multiple and disparate sources including pharmacy, clinical laboratory, microbiology laboratory, surgery, admissions and radiology.

The software creates almost real time information regarding infection related events and alerts UMMC's Infection Prevention Practitioners (IPPS) of such events. This information is used in meeting regulatory and accreditation measures as established by agencies such as Centers for Medicare and Medicaid Services (CMS), The Joint Commission (TJC), and aids in infection prevention and control practices This information also allows UMMC to meet other patient care issues that require prompt infection prevention intervention.

**Contractor's Legal Name:** TheraDoc, Inc. (TheraDoc)

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**History of Contract:** In July 2004, the Board approved UMMC's request to enter into a five (5) year agreement with TheraDoc, Inc. for the implementation of a clinical expert software system in the amount of \$2,500,000.00.

In October 2009, the Board approved the request to enter into a renewal agreement with TheraDoc, Inc. for the continued license and support for the clinical expert software system. The agreement term was for a period of four (4) years and eight (8) months with effective dates of November 1, 2009 through June 30, 2014. The approved cost of the agreement was \$474,275.00.

**Specific Type of Contract:** Software license and support agreement.

**Purpose:** The purpose of the agreement is to allow UMMC to utilize this software to meet the needs of patients as well as any regulatory and accreditation standards in infection prevention.

**Scope of Work:** Under the agreement, TheraDoc will provide the following:

- TheraDoc grants to Customer a limited, nonexclusive and non-transferable right to use the TheraDoc software application;
- TheraDoc shall provide maintenance and support services; and
- From time-to-time, TheraDoc may develop bug fixes or patches or release to UMMC new versions of the TheraDoc product free of charge.

**Term of Contract:** The term of the agreement shall be for a period of five (5) years beginning on July 1, 2014 and ending June 30, 2019.

**Termination Options:** The agreement may be terminated as follows:

- Without cause provided sixty (60) days written notice to the other party is given;
- As a result of a material breach upon not less than thirty (30) days prior written notice by the non-breaching party to the breaching party unless such breach is cured within the thirty (30) day period;
- Failure by TheraDoc to comply with federal E-Verify Program; and
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC.

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**Contract Amount:** The estimated amount of this agreement is \$539,000.00 with the breakdown of expenditures listed below:

Year One Software Fee	\$ 107,000.00
Year Two Software Fee	\$ 107,000.00
Year Three Software Fee	\$ 107,000.00
Year Four Software Fee	\$ 107,000.00
Year Five Software Fee	\$ 107,000.00
Travel (if applicable)	\$ 4,000.00
<b>Estimated Total</b>	<b>\$ 539,000.00</b>

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** TheraDoc has been the vendor for the clinical expert software since 2004.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- f. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests permission to enter into a consolidated master agreement with **Truven Health Analytics, Inc.** to access its Micromedex database.

**Contractor's Legal Name:** **Truven Health Analytics, Inc. (Truven)**

**History of Contract:** UMMC has used the Micromedex database for over fifteen years. However, the term of each agreement was short and the cost of each agreement was less than the threshold requiring Board approval. The most recent agreement started on July 1, 2013 and will end on June 30, 2014 and cost \$124,478.02.

**Specific type of contract:** Consolidated Master Agreement

**Purpose:** The purpose of the agreement is for Truven to allow UMMC to access its Micromedex database, an online, evidence-based database that contains information about drugs, toxicology, diseases, acute care, and alternative medicine. It is used by

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healthcare professionals to make informed clinical diagnoses and treatment decisions. Without access to the database, UMMC personnel will lose the ability to identify and research medication and its use in therapy.

**Scope of Work:** Truven grants UMMC a non-exclusive, non-transferable, revocable, limited license to access the Micromedex database. Licensed content will include the Micromedex Complete Clinical Evidence Bundle that consists of the following:

- Standard and Expanded Drug Information;
- Standard and Expanded Disease Information;
- Standard and Expanded Toxicology Information;
- Standard and Expanded Alternative Medicine Information;
- Lab Recommendations;
- Medication Instructions;
- Standard NeoFax Drug Information;
- Standard Pediatric Drug Information;
- Integration-Disease Drug and Laboratory;
- Formulary Considerations;
- Reproductive Effects;
- TOMES System;
- Micromedex CareNotes;
- Martindale; and
- Web Hosting.

**Term of contract:** The term of the agreement is three years starting on July 1, 2014 and ending on June 30, 2017.

**Termination Options:** Termination options include the following:

- by UMMC upon thirty days written notice prior to the anniversary date of the agreement;
- in the event of breach of any material term or condition that is not cured by the breaching party within thirty days prior to written notice;
- in the event either party files or is forced into a bankruptcy proceeding;
- by either party upon five days written notice if outside counsel finds it necessary to protect its legal liability to third parties, it has reasonable evidence of the other party's fraud or illegal use of the products, or it is required by legal or regulatory action;
- by Truven if it no longer has the necessary right from any third party whose content or software is included in a product provided under an Order Form or

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if continuing to provide the product no longer is a commercially reasonable option;

- in the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC; and
- failure by Truven to comply with the federal E-Verify Program.

**Contract Amount:** The total cost of the three-year agreement is \$404,113.39. The cost for each year of the agreement is shown in the table below:

Year 1	\$ 129,457.14
Year 2	134,635.42
Year 3	140,020.83
<b>Total</b>	<b>\$ 404,113.39</b>

**Funding Source for Contract:** Patient Revenues.

**Contractor Selection Process:** Sole Source as certified by the Mississippi Department of Information Technology Services. Unlike other information system vendors, Truven's Micromedex database has the distinction of maintaining a full-time, in-house editorial staff of professionals responsible for preserving the accuracy and quality of the easy-to-use database. An international editorial board comprised of more than 400 leading specialists contributes to the system's peer-reviewed information. The unbiased, full-text documents presented in the database are thoroughly researched, evaluated, and referenced based on the world's leading medical literature.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- g. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a one (1) year agreement with **Valley** to provide food services at the UMMC-Grenada facility.

**Contractor's Legal Name:** Valley Services, Inc. (Valley)

**History of Contract:** Valley provided the Grenada Lake Medical Center (GLMC) this service prior to UMMC leasing the facility. Currently this relationship

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continues on a month-to-month, purchase order basis. The leadership team at UMMC-Grenada would like to continue this service until a thorough financial and operational analysis can be performed for providing food services to the facility.

**Specific type of contract:** This is a service agreement.

**Purpose:** The purpose of the agreement is to provide food services to UMMC at the UMMC-Grenada facility.

**Scope of Work:** Under this agreement Valley will be responsible for the following:

- The preparation of meals.
- Performing all buying and record keeping functions for perishable food and related sundries.
- Training of food service employees.
- Furnishing supervisory personnel to establish and maintain high operational standards.
- Instituting reliable food cost control methods.
- Maintaining the production kitchen and equipment (the "Food Preparation Facilities") in a sanitary condition and at the termination of the agreement surrender the Food Preparation Facilities to UMMC in as good condition as tendered, ordinary wear and tear excepted.
- Valley will provide management of the vending services, which may be performed through a subcontractor; any related agreement will be by and between Valley and the subcontractor.
- Valley will be responsible for ensuring the proper inventory of small wares (i.e. silver ware, linens, dishes, etc.) and shall notify UMMC of any inventory issues.

UMMC will be responsible for the following:

- Providing and furnishing the Food Preparation Facilities and food storage areas.
- Providing for the proper repair and maintenance of the Food Preparation Facilities, including plumbing, wiring, or equipment, through its own maintenance staff or by hiring an outside service. UMMC will not be responsible for repairs and maintenance to the facilities or equipment if damage is caused by Valley.
- Replacing, as necessary, any part of the Food Preparation Facilities.
- Maintenance of the Food Preparation Facilities in accordance with all laws, regulations, orders, directives, statutes, and other rules of any federal, state, or

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local government bureau or department applicable to the Food Preparation Facilities.

- Providing and furnishing Valley with a suitable office for the exclusive use of Valley and its managers.
- As part of this agreement, UMMC will provide and employ all food service employees with the exception of two (2) management-level employees provided by Valley. The UMMC employee costs associated with operation are not part of this contract.

**Term of contract:** The term of this agreement is one (1) year beginning July 1, 2014 and ending June 30, 2015.

**Termination Options:** This agreement may be terminated for the following reasons:

- UMMC may terminate this agreement with or without cause provided ninety (90) days written notice is given to the vendor;
- Either party may terminate this agreement in the event of uncured event; and
- Failure by Valley to comply with the federal E-Verify Program.

**Contract Amount:** The estimated cost of this agreement is \$530,788.69 with a breakdown of the estimated cost below.

Description	Estimated Cost
Management Fee	\$ 49,700.00
Labor Fee	79,383.02
Food	561,632.30
Other	155,924.94
Operating Subsidy from cash revenue received by Valley	(315,851.56)
Total Estimated Costs	\$ 530,788.70

UMMC estimated the costs for the following categories: food, labor, and other expenses (which includes any cost increases as specified in the agreement) by multiplying the historical average cost by fifteen percent (15%).

**Funding Source for Contract:** This contract will be funded by patient revenues.

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**Contractor Selection Process:** Grenada Lake Medical Center had contracted with Valley to provide food services prior to UMMC assuming management of the healthcare facility. Due to the service being in place, we are continuing the agreement for one year so UMMC-Grenada leadership can develop a long-term strategy. UMMC is in the process of developing an RFP for long-term services, which could also be written to include outsourcing operations at UMMC's Holmes County (Lexington) Hospital operation.

**Recommendation:** *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- h. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval for an amendment to the pricing agreement with **Viracor – IBT Laboratories, Inc.** for off-site clinical laboratory testing.

**Contractor's Legal Name:** Viracor – IBT Laboratories, Inc. (V-IBT)

**History of Contract:** UMMC is currently under contract with V-IBT. The previous agreement was approved by the Board at its April 18, 2013 meeting. The agreement was for a term of three years from May 1, 2013 through April 30, 2016, at an estimated cost of \$1,890,300.00 over the term. This amendment will add a new test to the agreement.

**Specific Type of Contract:** Clinical Laboratory Services agreement.

**Purpose:** The purpose of the agreement is for the provision of referred clinical laboratory services for Immunology testing for HIV patients. In addition, UMMC will be able to access patient test results online through V-IBT's website and Retriever System. The test results are used by UMMC physicians to identify the regimen of medications most effective for a particular patient. This amendment will add a new test to the agreement.

**Scope of Work:** Under the agreement, V-IBT will perform laboratory testing at its lab in Missouri and then provide online access to patient results. UMMC will collect, package, and ship to V-IBT all specimens that are to be tested at V-IBT's lab and supply the names of all UMMC laboratory personnel who will need access to the V-IBT website and Retriever System for accessing patient results.

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**Term of Contract:** The term of the agreement is for three (3) years beginning on or about May 1, 2013 through April 30, 2016. The amendment will begin on July 1, 2014.

**Termination Options:** The agreement may be terminated in the event of any reduction in available funds to UMMC, without penalty to UMMC.

**Contract Amount:** UMMC estimates the cost of the amendment will be \$3,500,000.00 over the remaining two (2) years of the three (3) year total term, for a total contract cost of \$4,130,100.00. The estimated cost is based upon historical data and increases in patient volume beyond original predictions. The cost breakdown is as follows:

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
Original Estimates	\$ 630,100	\$ 630,100	\$ 630,100	\$ 1,890,300
Amended Estimates	\$ 630,100	\$ 1,750,000	\$ 1,750,000	\$ 4,130,100
Amount Increase	\$ -	\$ 1,119,900	\$ 1,119,900	\$ 2,239,800
% increase	0.0%	177.7%	177.7%	118.5%

**Funding Source of Contract:** The current agreement will be funded by patient revenues.

**Contractor Selection Process:** V-IBT is the current provider of lab services for UMMC and was chosen based on the available selection of immunology testing and its turnaround time with testing results. All of the available labs are in other states with V-IBT's Missouri location being the closest in proximity. As a result, this lab can assure UMMC of a 24 hour turnaround time in producing test results.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

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**UMMC – REQUEST FOR APPROVAL OF 3 RELATED AGREEMENTS FOR UMMC-GRENADA**

- i. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of an asset purchase agreement with **Grenada Diagnostic Radiology, LLC**.

**Contractor's Legal Name:** Grenada Diagnostic Radiology, LLC

**History of Contract:** New Agreement

**Specific type of contract:** Asset Purchase Agreement

**Purpose:** The asset purchase agreement will allow UMMC to acquire Grenada Diagnostic Radiology, LLC, which will allow UMMC to expand radiology outpatient services for the citizens of Grenada and to further the resident education program in a rural healthcare setting. The acquisition will provide an efficient and convenient location for UMMC patients to receive services. The overarching purpose of the agreement is to establish an improved system of access to healthcare and healthcare information for the citizens of Grenada and the surrounding areas.

**Scope of Work:** The University of Mississippi Medical Center agrees to pay Grenada Diagnostic Radiology, LLC \$481,245.00 for the sale and transfer of all assets per the terms and conditions of the Asset Purchase Agreement.

**Term of contract:** Assets Purchase with estimated date of ownership July 1, 2014.

**Termination Options:** NA

**Contract Amount:** \$481,245.00 Asset Purchase

	2014 Projected	2015 Projected	2016 Projected
Purchased FM Assets	\$ (201,000)		
Purchased FM Clinic Value	\$ (280,245)		
Net revenues	\$ 992,750	\$ 1,022,533	\$ 1,053,209
Less: Personnel Expense	\$ 157,519	\$ 162,244	\$ 167,111
Direct Medical Expense	\$ 405,429	\$ 412,803	\$ 420,388
Admin. & Operating	\$ 47,817	\$ 45,492	\$ 44,412

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Project net income	\$ (99,259)	\$ 401,994	\$ 421,297
Net cash flow	\$ (99,259)	\$ 401,994	\$ 421,297
Cumulative net cash flow	\$ (99,259)	\$ 302,735	\$ 724,032

Profitability Measures	
Cost of Capital	4.00%
Net present value (NPV)	\$650,756
Internal rate of return (IRR)	63.33%
Modified IRR (MIRR)	37.55%
Payback (Years)	1.25
Payback (Months)	15

**Funding Source for Contract:** Funding for the project is derived from patient revenues generated by the facility. The projected return on investment is 15 months with an IRR of 61.41%.

**Contractor Selection Process:** NA

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- j. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to lease a mobile PET/CT Scanner from **Insight Health Corporation** in conjunction with the acquisition of the Grenada Diagnostic Radiology, LLC.

**Contractor's Legal Name:** Insight Health Corporation

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**History of Contract:** This is a new contract. UMMC Grenada is requesting approval to acquire Grenada Diagnostic Radiology, LLC. Grenada Diagnostic Radiology, LLC currently holds the Certificate of Need (CON) for mobile Position Emission Tomography (PET) Services awarded to them from the Mississippi State Department of Health in March 2005. Insight Health Corporation currently holds the CON for PET Equipment. Grenada Diagnostic Radiology, LLC has engaged in a partnership with Insight Health to provide PET services since 2005.

**Specific type of contract:** Lease and Operating Agreement for a mobile Position Emission Tomography (PET).

**Purpose:** The lease and operating agreement allows UMMC Grenada to expand the educational needs for the resident education program in a rural healthcare setting. UMMC Grenada currently cannot provide PET services to its patients and this agreement will provide opportunity to offer the services. The agreement will assist UMMC in addressing the educational needs of our state's training physicians and to provide medical education to referral/teaching physicians that in turn enhance the expertise of UMMC. The overarching purpose of the agreement is to establish an improved system of access to healthcare and healthcare information for the citizens of Grenada, Mississippi and the surrounding areas.

**Scope of Work:** Insight Health Corporation agrees to lease a mobile position emission tomography (PET) to UMMC per the terms negotiated in the lease and operating agreement. The agreement provides UMMC the opportunity to provide PET services to its patients.

**Term of contract:** The term of the agreement shall be for a period of three (3) years beginning July 10, 2014. The term shall be extended automatically for two (2) successive periods of one (1) year each unless either party notifies the other in writing of its intention not to extend the initial term or any extension thereof at least one hundred eighty (180) days prior to expiration of the initial term or any extension thereof.

**Termination Options:** The termination options are as follows:

- By InSight giving UMMC at least thirty (30) days prior written notice specifying the date of termination if any legislative or judicial body, governmental agency, or accrediting body makes or interprets a law, rule or

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regulation which, in the reasonable judgment of InSight, adversely affects InSight's ability to perform its obligations under this Agreement.

- In the event of a breach of a material provision of the agreement, the non-breaching party shall provide the breaching party with written notice setting forth the alleged breach. The breaching party shall cure said breach within thirty (30) days of receipt of the written notice, or if such breach cannot reasonably be cured within thirty (30) days shall commence to cure said breach within thirty (30) days and thereafter diligently pursue curing of such breach. If the breaching party fails to cure said breach within the above-described time, the non-breaching party may terminate the agreement upon at least ten (10) days prior written notice to the breaching party.
- By InSight upon ten (10) days prior written notice to UMMC if UMMC's account for amounts due pursuant to the agreement is more than forty-five (45) days past due and such amount is not paid in full within five (5) days of receipt of written notice.
- By InSight, at its sole discretion, immediately upon written notice to UMMC in the event a state agency suspends, rescinds or modifies a required CON for the provision of PET services hereunder that adversely affects InSight's ability to fulfill its obligations under the agreement.
- By InSight immediately upon written notice to UMMC in the event UMMC's license is suspended, revoked or cancelled or UMMC becomes debarred, suspended, excluded or otherwise ineligible to participate in any federal or state health program.
- By either party upon written notice to the other party in the event either party is the subject of any state or federal bankruptcy, insolvency, receivership or liquidation proceedings and such proceedings remain undismissed after ninety (90) days from the date of filing.
- By either party upon one hundred and eighty (180) days written notice to the other party without cause.

**Contract Amount:** Since UMMC's total Medicare reimbursement per procedure (i.e. the reimbursement for the radiopharmaceutical and the scan itself) has been reduced, UMMC shall be charged \$5,600, plus any applicable sales tax, per day for the lease and operation of the mobile PET Scanner (such rate does not include the cost of radiopharmaceuticals). In the event UMMC schedules patients beyond the Daily Operating Period, UMMC shall be charged an additional fee of \$150 for each fifteen

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(15) minute increment (or any portion thereof) in excess of the Daily Operating Period.

The parties further agree that in the event UMMC's Medicare reimbursement per procedure is increased in the future, both parties shall renegotiate in good faith a new fee structure to adjust rates accordingly.

The mobile PET Scanner and operations will be provided at UMMC's designated site every other week starting on the Service Commitment Date and not to exceed twenty-six (26) operating days a year ("Operating Days").

Year	Lease Cost per Operating Day	Total Annual Rent
1	\$ 5,600.00	\$ 145,600.00
2	\$ 5,600.00	\$ 145,600.00
3	\$ 5,600.00	\$ 145,600.00
4	\$ 5,600.00	\$ 145,600.00
5	\$ 5,600.00	\$ 145,600.00

Total Cost For Initial Lease	\$	436,800.00
Total Cost For Lease Including Extensions	\$	728,000.00

**Funding Source for Contract:** This contract will be funded by general funds.  
**Contractor Selection Process:** Contractor is the established partner of the medical practice being acquired and the contractor owns the CON for PET Equipment.

**Staff Recommendation:** **Staff Recommendation:** **Staff Recommendation:** Based on Board Policy 707.01, *Board approval prior to the execution of leases in an amount greater than \$100,000 is required.* The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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**k. Agenda Item Request:** The University of Mississippi Medical Center (UMMC Grenada) requests approval to lease 3000 square feet of space located in Suite U of the Grenada Medical Complex, located at 1300 Sunset Drive, Grenada, MS.

**Contractor's Legal Name:** Physicians Realty L.P. dba DOC-GRENADA MOB, LLC

**History of Contract:** This is a new contract. This lease is a part of the UMMC Grenada request to purchase Grenada Diagnostic Radiology, LLC, which currently uses the space to conduct business. Grenada Diagnostic Radiology, LLC has conducted operations from this location since December 1, 2001.

**Specific type of contract:** Lease Agreement for Clinical Space

**Purpose:** The purpose of this agreement is to address the educational needs of our state's training physicians and to provide medical education to referral/teaching physicians that in turn enhance the expertise of UMMC Grenada. The space allows UMMC Grenada to expand the educational needs for the resident education program in a rural healthcare setting. The overarching purpose of the agreement is to establish an improved system of access to healthcare and healthcare information for the citizens of Grenada, Mississippi and the surrounding areas.

**Scope of Work:** DOC-Grenada MOB, LLC agrees to lease 3000 square feet of medical office space to the UMMC Grenada per the terms negotiated in the lease agreement. This agreement provides UMMC the opportunity to provide convenient outpatient radiological services to the citizens of Grenada, Mississippi and the surrounding areas.

**Term of contract:** The term of the lease shall be for a period of sixty (60) months beginning July 1, 2014.

**Termination Options:** Either party can terminate this agreement with 180 day notice to the other party.

**Contract Amount:** The total cost for lease agreement amount is \$441,846.98. The initial base year cost is \$28.02 per square foot or \$84,060.00 for the first year. Each year thereafter, the rent rate will escalate 2.5% as shown below:

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Year	Rent Rate per Square Foot	Total Annual Rent
1	\$ 28.02	\$ 84,060.00
2	\$ 28.72	\$ 86,161.50
3	\$ 29.44	\$ 88,315.54
4	\$ 30.17	\$ 90,523.43
5	\$ 30.93	\$ 92,786.51

### Total Cost For Lease

\$ 441,846.98

**Funding Source for Contract:** This contract will be funded by general funds.

**Contractor Selection Process:** Established location of the medical practice being acquired.

**Staff Recommendation: Staff Recommendation: Staff Recommendation: Based on Board Policy 707.01, *Board approval prior to the execution of leases in an amount greater than \$100,000 is required.* The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

## **10. USM-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENT**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to enter into a lease agreement with **Southern Diversified Products, LLC** for approximately 1,785 square feet of office and laboratory space in USM's Accelerator Building located on the Hattiesburg campus.

**Contractor's Legal Name: Southern Diversified Products, LLC (SDP)**

### History of Contract: New Agreement

**Specific Type of Contract:** Revenue lease agreement

**Purpose:** The purpose of the agreement is to lease spaces 174, 205, 206 and 207 in USM's Accelerator Building to SDP for use by the company's scientists and professional support personnel. SDP proposes to use the office and laboratory spaces for the research and production of architectural coatings.

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**Scope of Work:** Under the agreement, USM, as Lessor, will provide utilities, janitorial services and, routine maintenance and repair.

SDP is responsible for the timely payment of rent, for using the premises only for its intended purpose, for the provision of telephone and internet service, and for maintaining an approved laboratory management plan for safety purposes.

**Term of Contract:** The total lease term is for a five (5) year period, July 1, 2014 through June 30, 2019. The term includes an initial one-year period and four (4) one-year automatic renewal periods.

In addition, a “transitional period” will begin on June 20, 2014 and end on June 30, 2014 in order for SDP to install equipment and related infrastructure into the leased premises.

**Termination Options:** The agreement may be terminated for the following:

- by either party upon sixty (60) days written notice prior to the expiration of the then current lease term,
- by either party upon an uncured default under the terms of the lease,
- by SDP upon sixty (60) days written notice should the premises be rendered untenable and USM fail to restore the premises within sixty (60) days, or
- failure by SDP to comply with the federal E-Verify Program.

**Contract Amount:** The total revenue generated by the agreement will be \$212,425. USM will receive an annual rental payment of \$42,375 and a one-time payment of \$550 for the “transitional period”.

**Funding Source of Contract:** This is a revenue generating agreement

**Contractor Selection Process:** N/A. This is a revenue generating agreement.

**Staff Recommendation:** *Based on Board Policy 707.01, Personal Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. However, Board approval is required prior to execution of all oil, gas and mineral leases, regardless of amount. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.*

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**11. SYSTEM-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENT**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning's Executive Office (IHL) requests approval to renew its auto liability insurance coverage for the system.

**Contractor's Legal Name:** Berkley Southeast Insurance Group and American Empire Surplus Lines Insurance Company.

**History of Contract:** The IHL Self-Insured Tort Plan insures against third party tort claims as outlined in the Mississippi Tort Claims Act (§11-46-1, et seq.), which includes automobile liability coverage. To limit its exposure, the IHL Self-Insured Tort Plan currently purchases liability insurance coverage in the amount of \$500,000 for in-state coverage and \$5,000,000 for out-of-state coverage through Berkley Southeast Insurance Group and American Empire Surplus Lines Insurance Company. Following a competitive RFQ process, this agenda item seeks renewal of our current policies, at the same coverage limits, which will insure against auto liability for accidents occurring in connection with the business of any university as well as the Executive Office. The insurance covers approximately 1810 owned vehicles, but it also extends to borrowed and leased vehicles.

**Specific type of contract:** This is an auto liability insurance policy and an auto liability surplus insurance policy.

**Purpose:** The purpose of the contracts is to insure the system automobile liability exposure in the most cost effective method.

**Scope of Work:** The insurers provide liability insurance coverage in exchange for payment of the premium.

**Term of contract:** July 1, 2014 to July 1, 2017.

**Termination Options:** IHL may cancel the policy at any time by providing written notice before the effective termination date. The insurers may cancel upon 30-days advance notice, or upon 10 days advance notice if the reason for termination is the non-payment of premium.

**Contract Amount:** The total annual premium for both insurance policies is \$695,076, with the premium amount for Berkley Southeast being \$561,100 and the premium for

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American Empire Surplus Lines Insurance Company being \$133,976. IHL receives a three-year rate guarantee, subject to an Annual Loss Ratio of 40% or less. The 2013-2014 policies had a total annual premium of \$666,676 based upon 1810 vehicles, or \$368 per vehicle. These policies work out to approximately \$384 per vehicle, or a 4% increase over the prior rate which was negotiated in 2011. The total annual premium may vary in proportion to an increase or decrease in vehicles.

**Funding Source for Contract:** The universities are billed directly for their share of the premium. There is a deductible of \$10,000 per occurrence, and deductible amounts are paid from the IHL Self-Insured Tort Claims Fund.

**Contractor Selection Process:** On March 10 and March 17, 2014, advertisements announcing the release of the RFQ on IHL's website appeared in *The Clarion-Ledger*. On March 19, 2014, a letter was sent to 19 agents advising them that the RFQ was going to be available on IHL's website on or around March 24, 2014. On March 24, 2014, the RFQ was available on IHL's website. By April 7, 2014, IHL received notification from 5 agents of their intentions to quote. On May 6, 2014, a proposal was received from an agent representing the two insurance companies named above. No other quotes were received.

**Staff Recommendation: Board staff recommends approval of this item.**

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**Note:** Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

**Board Policy §902, Initiation of Construction Projects**

*The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding \$1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.*

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

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*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

*Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.*

**Board Policy §905(A), Real Estate Management**

*Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.*

**Board Policy §917, Naming Buildings and Facilities**

*Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.*

**Board Policy §919, Pre-requisites for Building Modification or Demolition**

*Prior to scheduling a building on an institution's property for restoration, improvement, construction, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure an inspection and approval from the Mississippi Department of Environmental Quality and a permit or written permission from the Mississippi Department of Archives and History authorizing the requested building action. After obtaining approval from these two agencies, a request for the building modification or demolition shall be submitted to the Board for approval. The request to the Board must include documentation evidencing approval by the Department of Environmental Quality and the Department of Archives and History.*

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**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

**IHL PROJECTS**

**1. UM – IHL 207-385 – Manning Center – Football Practice Fields Enlargement**

**Project Request:** The University of Mississippi requests approval to initiate a project, Manning Center – Football Practice Fields Enlargement, and to appoint a design professional using the “Request for Qualifications” method.

**Proposed Design Professional:** TBD through RFQ Method

**Purpose:** Prior to the construction of the new multi-level parking structure, the university had one full-length football practice field and two that were only sixty-yards long. The parking structure is being built on one of the original ‘short’ fields. The scope of this project is to increase the length of the remaining short field so that the football program has two full-size fields on which to practice. Approximately forty yards will be added to the west of the field adjacent to Hill Drive. The scope of the project will include grading, irrigation, planting of natural grass, and floodlights.

The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** June 19, 2014

**Date of Original Construction:** Not applicable

**Date of Last Renovation:** Not applicable

**Proposed Project Budget:**

	<i><u>Estimated</u></i>
Construction Cost:	\$ 1,778,873.00
Architectural and Engineering Fees:	137,037.00
Misc. Project Costs:	125,000.00
Contingency:	<u>364,890.00</u>
<b>Total Project Budget</b>	<b>\$ 2,400,000.00</b>

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**Proposed Funding Source(s):** Ole Miss Athletic Foundation Funds (\$2,400,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**2. UM – IHL 207-383 – Gillom Sports Center – New Additions and Renovations**

**Project Request:** The University of Mississippi requests approval to initiate a project, Gillom Sports Center – New Additions and Renovations, and to appoint a design professional using the “Request for Qualifications” method.

**Proposed Design Professional:** TBD through RFQ Method

**Purpose:** The Gillom Center was constructed in 1998. It is a 56,889 sf building used by the UM Department of Athletics. The building is located on Hathorn Road on the western side of campus. It is adjacent to the ladies’ soccer field and houses some of their operations. Interior existing functions are court space for ladies’ volleyball, indoor tennis courts, administrative offices, and changing facilities. The scope of this project is to repair and restore the exterior of the building, renovate its tired interiors, create two new film rooms, build an addition of approximately 8,000 sf housing a new weight room, a 5,000 sf athletic training room, and a small exterior training area.

The design professional will assist the University of Mississippi in determining the project budget and produce design/construction documents for the scope determined. The university will submit subsequent agenda items to confirm the design professional after the selection process and to increase the budget as required to reflect the established scope of work.

The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** June 19, 2014

**Date of Original Construction:** Not applicable

**Date of Last Renovation:** Not applicable

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**Proposed Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	500,000.00
Misc. Project Costs:	0.00
Contingency:	<u>0.00</u>
<b>Total Project Budget</b>	<b>\$ 500,000.00</b>

**Proposed Funding Source(s):** Ole Miss Athletic Foundation Funds (\$500,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE/FUNDING SOURCE(S)**

**BUREAU OF BUILDING PROJECTS**

**3. JSU – GS 103-267 – Alexander Center Renovation Phase I**

**Project Request:** Jackson State University requests approval to increase the budget for the Alexander Center Renovation Phase I project. The budget will increase from \$7,084,000.00 to \$ 7,684,000.00, an increase of \$600,000.00. In addition, the university request approval to add SB 2913, Laws of 2013 as funding source to allow for the budget increase.

**Project Phase:** Construction Phase

**Design Professional:** Foil-Wyatt Architects & Planners, PLLC

**General Contractor:** Coleman Hammons Construction Company, Inc.

**Purpose/Justification:** The project is currently in the construction phase. The project was initiated with the Board on June 16, 2011. This is the second budget escalation request made for this project by the university, the purpose of the first budget escalation was to combine the previously approved funding source for Phase I of Alexander Center Renovation with funds that became available in SB 3100, L'11 (\$284,000.00) and Bureau of Building Discretionary Funds (\$300,000.00).

The escalation in the project budget will allow the university to complete the entire roofing installation on both sides of the building. Phase II of this project has been

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temporarily placed on hold until 2015. As a result, it is necessary that the roof replacement be included in Phase I of the project in order to address the water leakage issues on the east and west side of the building. The university is seeking to occupy the building during the fall semester of 2014.

Jackson State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

**Project Initiation Date:** June 16, 2011

**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 6,156,452.00	\$ 6,156,452.00	\$ 0.00
Architectural and Engineering Fees	\$ 439,825.93	\$ 439,825.93	\$ 0.00
Commissioning Fee	\$ 89,369.12	\$ 89,369.12	\$ 0.00
Miscellaneous Project Costs	\$ 91,693.40	\$ 91,693.40	\$ 0.00
Contingency	\$ 306,659.55	\$ 906,659.55	\$ 600,000.00
<b>Total Project Budget</b>	<b>\$ 7,084,000 .00</b>	<b>\$ 7,684,000.00</b>	<b>\$ 600,000.00</b>

**Funding Source(s):** SB 3100, L'11 (\$6,500,000.00); SB 3100, L'11 (\$284,000.00); Bureau of Building Discretionary Funds (\$300,000.00) and SB 2913, L'13 (\$600,000.00).

**Staff Recommendation:** Board staff recommends approval of this item.

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**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**4. ASU – Award of Timber Sales-Loessal Bluff Hardwood Harvest**

**Project Request:** Alcorn State University requests approval to advertise and award the sale to the highest and best bid for timber sale 8011-4-6-10N-1E of the Loessal Bluff Hardwood Harvest.

**Timber Sale No. 8011-4-10N-1E2014**

The sale area is approximately 35 acres in size of Loessal Bluff hardwood with small amounts of pine and is located in Section 6 , Township 10 North, Range 1 East, Jefferson County, Mississippi.

**Timber Sale Process:** The timber sale process on the described land begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by directions taken from the Forest Management Plan. After the stand has been identified, the process of tree marking and sale identification may begin. At this point, the sale is computed and a bid prospectus is prepared and approved by the Dean of Agriculture, Research, Extension, and Applied Sciences and a request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. When the Board of Trustees approves that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. When the bids have been received in the university Purchasing Office, a recommendation is made by the Purchasing Office to either accept or reject the bids. If the President of the university accepts the bids, a contract is executed between the university and the highest and best bidder for that sale. The Purchasing Office executes the contract and contacts the high bidder to set the closing date. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount.

Alcorn State University is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales.

**Staff Recommendation:** The Attorney General's Office has reviewed and approved this item contingent upon submission to the Office of Attorney General a final executed agreement. Board staff recommends approval of this item.

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**5. MSU – Approval of the Exterior Design of Meat Science Laboratory**

**Project Request:** Mississippi State University requests approval of the exterior design of the Meat Science Laboratory. (*See Rendering of Building Below*)

**Project Phase: Design Phase**

**Design Professional: Pryor & Morrow**

**General Contractor: TBD**

**Purpose:** Mississippi State University is seeking Board approval of the exterior design for GS #113-136, Meat Science Laboratory. The project was initiated with the Board in October 2013 and is currently in the design phase. The project will construct a new building to replace the existing older facility that does not meet current USDA standards. The new building will include a harvest area, value added areas, demonstration areas, freezer space, and a classroom.

Mississippi State University is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

**Staff Recommendation: Board staff recommends approval of this item.**

***Rendering: View from the Front of Building***



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**6. MSU – Delete from Inventory and Demolish Buildings #2183 (Intramural Sports Office and Maintenance)**

**Project Request:** Mississippi State University requests approval to delete Building #2183 from inventory and demolish it.

**Purpose:** Mississippi State University is seeking approval to delete Building #2183-Intramural Sports Office and Maintenance Building. The building is located on the south side of the MSU campus and will be demolished as part of the South Entrance Road project. The building is currently in the right-of-way for the proposed new South Entrance Road project and must be disposed of in order to accommodate the road project.

The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item.

**7. UM – Naming of Basketball Practice Facility as “Tuohy Basketball Center”**

**Project Request:** The University of Mississippi requests approval to name the Basketball Practice Facility as “Tuohy Basketball Center”.

**Purpose:** In honor of their extraordinary contributions to The University of Mississippi, Ole Miss Athletics would like to name the basketball practice facility the Tuohy Basketball Center. The Tuohy family has made a significant contribution to the Forward Together Campaign, the Ole Miss Athletics’ current capital campaign.

Sean Tuohy played basketball for Ole Miss in the early 1980s and achieved multiple SEC accomplishments during those years including an SEC Men’s Basketball Tournament championship in 1981. He holds several Ole Miss Basketball records and was inducted into the Ole Miss Sports Hall of Fame in 1998.

Leigh Anne also attended the University of Mississippi and was a cheerleader as well as involved in many campus activities and organizations. She received the Legacy Award from the Ole Miss Women’s Council for Philanthropy in 2010. The Legacy

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Award recognizes the contributions of a person who epitomizes the council's goals of philanthropy, leadership and mentorship.

Sean and Leigh Anne, along with their children, Collins Tuohy, Sean Tuohy and Michael Oher, were featured in The Blind Side book and film that told the story of their adopted son, Michael, an Ole Miss Football player in 2005 through 2008.

The Tuohys reside in Memphis, Tennessee, and are continuously supportive of Ole Miss Athletics' programs. The University of Mississippi is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility.

**Staff Recommendation: Board staff recommends approval of this item.**

**8. UMMC – IHL 209-550 – Wiser Women's Urgent Care Renovation – Sole Source HVAC Controls**

**Project Request:** The University of Mississippi Medical Center requests approval to sole source the HVAC Controls for the Wiser Women's Urgent Care Renovation project.

**Project Phase:** Design Phase

**Design Professional:** The McCarty Company

**General Contractor:** TBD

**Purpose:** The purpose of this request is for approval to sole source the HVA C Controls portion of this renovation project to Johnson Controls as an extension of the existing Wiser Women's Hospital controls system. Funds for the sole source are provided within the existing project budget.

The project will involve of the complete renovation of an existing out-patient Women's Emergency Unit located on the ground floor within the UMMC Wiser Women's Hospital. The renovation will consists of approximately 4,800 gross square feet of the 5 story facility. The project will bring the new treatment area up to current standards and trends and will contain a check in/waiting area, 8 Patient Rooms, 2 fast track treatment rooms, storage and other ancillary spaces. UMC feels it to be in their best interest to extend the existing Johnson Controls System as a sole source to insure the operational integrity of the existing building system.

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The estimated value of the existing Johnson Controls EMCS is approximately \$565,000. The probable cost of the project EMCS modifications is \$65,000 for an 11.5% modification. According to IHL and Bureau of Building EMCS procurement protocol for existing systems, the EMCS can and should be procured by single source procurement since the portion of the work related to the new renovation is less than 25% of the existing system.

**Project Initiation Date:** January 16, 2014

**Date of Original Construction:** 1999

**Date of Last Renovation:** Not applicable

**Proposed Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 1,279,100.00
Architectural and Engineering Fees:	153,492.00
Miscellaneous Project Costs:	97,000.00
Contingency:	<u>152,959.00</u>
<b>Total Project Budget</b>	<b>\$ 1,682,000.00</b>

**Funding Source(s): UMMC SSA (Shared Services Administration) Building Improvement (\$1,682,000)**

**Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.**

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**9. USM – Delete from Inventory and Demolish Building #636**

**Project Request:** The University of Southern Mississippi requests approval to delete Building #636 from inventory and demolish it.

**Purpose:** The University of Southern Mississippi is seeking approval to delete from inventory and demolish Building #636. The building is a dilapidated metal warehouse next to the university's women's softball complex which is located at 2313 West 4<sup>th</sup> Street in Hattiesburg. The warehouse is currently unoccupied due to leaking and will be demolished and turned into green space.

The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. The University of Southern Mississippi is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item.

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**1. ASU – APPROVAL TO CONTRACT WITH WILKERSON & CRAWFORD LLP AS OUTSIDE COUNSEL**

Alcorn State University requests retroactive approval of a contract with Wilkerson & Crawford LLP as outside counsel to perform property boundary services for land survey purposes at ASU. The contract was for one year. The maximum hourly rate was \$200 with a maximum amount payable under the contract of \$1000.00.

**STAFF RECOMMENDATION: The Attorney General has approved this request. Board staff recommends approval of this item.**

**2. UM – APPROVAL TO RENEW CONTRACT WITH ARMSTRONG TEASDALE LLP AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to renew its contract for professional services with the law firm of Armstrong Teasdale LLP so that it may continue to assist the University with engineering and physical sciences patent applications and related intellectual property issues.

Armstrong Teasdale is based in St. Louis, Missouri, with offices in four other states. Its intellectual property practice group includes fifty attorneys. Erin Florek, a graduate of the University of Mississippi and a member of the firm's intellectual property practice group, and Adam Wuller, an associate who works with Ms. Florek, will be the primary attorneys performing work for the University. Ms. Florek has an hourly rate of \$250, and Mr. Wuller, a relatively low hourly rate of \$175 per hour. The University would like to extend its contract for another fiscal year so that the firm may continue its representation on matters it is currently handling and to be available should new, similar matters arise.

As to others in the firm that may perform work under the contract, hourly rates range from \$250-\$450 for principals, from \$175-\$250 for Associates, and \$150 for paralegals. These rates are increased for some of the attorneys who may do work under the contract, but at least \$100/hour below the Firm's customary rates. The term of the proposed contract is from July 1, 2014 to June 30, 2015, and total expenditures will not exceed \$100,000.

**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

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**3. UM – APPROVAL TO RENEW CONTRACT WITH HERSHKOVITZ & ASSOCIATES, LLC AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to renew its contract for professional services with the New York law firm of HersHKovitz & Associates, LLC (“HersHKovitz”) so that Eugene Rzucidlo, an attorney practicing with HersHKovitz, may continue to assist the University with pharmaceutical and natural products patent applications and related intellectual property and commercialization issues.

Mr. Rzucidlo is one of a few patent lawyers in the world who is also a natural products chemist, and the University has worked with Mr. Rzucidlo on the most challenging natural products patents for many years. Mr. Rzucidlo’s hourly rate is \$595 per hour, which is the same as the University paid during the last contract period and is comparable to similarly qualified and experienced patent counsel. The term of the proposed contract is from July 1, 2014 to June 30, 2015, and total expenditures will not exceed \$150,000.

**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

**4. UM – APPROVAL TO RENEW CONTRACT WITH STITES & HARBISON AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to renew its contract with Stites & Harbison so that it may continue to assist the University with pharmaceutical patent applications and intellectual property issues.

Stites & Harbison, PLLC, with offices located in Nashville, Tennessee, has an Intellectual Property and Technology Group (“IPT Group”) which specializes in all major scientific subject areas in the intellectual property field. Richard Myers, an alumnus of the University and a member of the IPT Group, will be the primary attorney performing work for the University. The University has worked with Stites & Harbison since this Board first approved the University’s relationship with Stites & Harbison in September, 2002.

Mr. Myers’ hourly rate remains at \$320, with other professionals who may work on University matters billing between \$95 (paralegal) (unchanged) and \$320 per hour (an increase of less than 5%). These rates are less than the rates of similarly qualified patent attorneys, and substantially below the firm’s customary rates. Mr. Myers hourly rate remains the same, with the rates of three of the ten professionals increasing, and the maximum hourly rate for other professionals increasing from \$305 to \$320 per hour (about 5%). The term of the proposed contract is from July 1, 2014 to June 30, 2015, and total expenditures will not exceed \$250,000.

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**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

**5. UM – APPROVAL TO RENEW CONTRACT WITH EVANS PETREE AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to renew its contract for professional services with the law firm of Evans Petree, PC to advise and represent the University with respect to construction matters, including but not limited to construction and design professional contracts, public procurement, potential bid protests, and other matters related to design, construction, and project management and related disputes.

The firm of Evans Petree is based in Memphis, Tennessee and specializes in construction law. Joseph T. Getz will be the primary attorney performing work for the University. Mr. Getz, a partner with the firm, is a graduate of the University of Mississippi and a member of the Mississippi Bar.

The Board approved this relationship with Evans Petree in March, 2013, and the University would like to extend its contract for another fiscal year so that the firm may continue its representation on matters it is currently handling and to be available should new, similar matters arise.

The term of the proposed contract will be for one year, with a maximum amount payable of \$35,000 during the contract term. The proposed fees are unchanged from last year as indicated below:

Partners	\$265 to 295 per hour
Associates	\$175 to \$225 per hour
Paralegals	\$95 to \$110 per hour
Clerks	\$50.00 per hour
Research and copy charges	At cost

**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

**6. UM – APPROVAL TO RENEW CONTACT WITH BUTLER, SNOW, O’MARA, STEVENS & CANNADA, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to renew its contract for professional services with the law firm of Butler, Snow, O’Mara, Stevens & Cannada, PLLC (“Butler, Snow”) so that it may continue to assist the University with pharmaceutical patent

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applications, intellectual property issues, commercialization of intellectual property, other commercial transactions, tax matters and regulatory compliance.

Butler, Snow, with its principle office located in the Jackson metro area, has a practice group that specializes in intellectual property and patent prosecutions, as well as intellectual property management through licensing and commercialization. The University would like to extend its contract for another fiscal year so that the firm may continue its representation on matters it is currently handling and to be available should new, similar matters arise. The University would also like the flexibility to seek assistance on regulatory compliance and taxation matters from time-to-time.

The firm has proposed a blended hourly rate under the contract for most attorneys, including patent work, of \$250 per hour (less than a 4% increase) and \$105 per hour for all legal assistants (about a 10% increase). These rates are competitive with or less than those charged by similarly qualified attorneys. The term of the proposed contract is from July 1, 2014 to June 30, 2015, and total expenditures will not exceed \$100,000.

**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

**7. USM – APPROVAL TO CONTRACT WITH BUTLER, SNOW, O’MARA, STEVENS & CANNADA, PLLC AS OUTSIDE COUNSEL**

The University of Southern Mississippi requests Board approval to contract with Butler, Snow, O’Mara, Stevens and Cannada, LLC, as outside counsel to perform services as necessary in the practice areas of taxation, intellectual property and commercial matters, including trademark, copyright and patent matters. In addition, such representation will include providing specific advice and undertaking the representation of the University in possible litigation with respect to a legal issue existing between the University of Southern Mississippi and the University of Iowa. Finally, the firm will provide legal advice and representation to the University in matters relating to issues and disputes with the Federal Emergency Management Agency (FEMA). The hourly rate to be charged will be \$240 per hour for all attorneys in all legal matters and \$95 per hour for legal assistants. The term of the contract will be from July 1, 2014, through June 30, 2015. The total amount payable for attorneys’ fees, pursuant to the arrangement, shall not exceed \$75,000 for the contractual period.

**BOARD RECOMMENDATION: The Board staff recommends approval of this item pending approval by the Attorney General.**

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**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Employment**

**JSU (Hire with Tenure – also reported under Tenure Section below)**

Ramin Cooper Maysami; Dean of College of Business, Full Professor of Economics; salary of \$180,000 per annum, pro rata; E&G Funds; **hired with tenure; twelve-month contract**; effective July 1, 2014

**Rehired retirees making more than \$20,000 who are on contract during FY2014**

**MUW**

Linda Cox; *former position*: BSN Program Chair and Emerita Professor of Nursing; *re-employment position*: Emerita Professor of Nursing; *re-employment period*: July 1, 2014 to June 30, 2015; annual salary of \$37,415

Bobby Fuller; *former position*: Assistant Professor of Education; *re-employment position*: Assistant Professor of Education; *re-employment period*: August 18, 2014 to May 15, 2015; annual salary of \$37,415

Joyce Hunt; *former position*: Interim Dean of the College of Business and Legal Studies, and, Professor of Management; *re-employment position*: Professor of Management; *re-employment period*: August 18, 2014 to May 15, 2015; annual salary of \$31,715

**2. Change of Status**

**ASU**

Emanuel Barnes, *from* Deputy Provost for Student Affairs; salary of \$87,000 per annum, pro rata; E&G Funds; *to* Vice President for Student Affairs; salary of \$140,000 per annum, pro rata; E&G Funds; effective June 1, 2014

John Igwebuike, *from* Associate Professor of Business; salary of \$86,860 per annum, pro rata; E&G Funds; *to* Interim Vice President for Academic Affairs; salary of \$110,000 per annum, pro rata; E&G Funds; effective May 19, 2014

Donzell Lee, *from* Vice Provost for Academic Affairs, salary of \$141,450 per annum, pro rata; E&G Funds; *to* Interim Provost/ Vice President for Academic Affairs; salary of \$175,000 per annum, pro rata; E&G Funds; effective May 19, 2014

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Chris Halliwell, Chief Audit Executive; salary \$125,000 per annum, pro rata; E&G Funds; effective June 1, 2014

**JSU**

James C. Renick, *from* Provost, Vice President for Academic Affairs; salary of \$185,000 per annum, pro rata; E&G Funds; *to* Provost, Vice President for Academic Affairs and Student Life; no salary change; effective May 7, 2014.

Loretta A. Moore, *from* Interim Vice President for Research & Federal Relations; salary of \$165,000 per annum, pro rata; E&G Funds; *to* Vice President for Research & Federal Relations; salary of \$175,000, per annum, pro rata; E&G Funds; effective July 1, 2014.

**MUW**

Brian Anderson, *from* Professor of Political Science and Chair of the Department of History, Political Science and Geography; salary of \$71,260 per annum, pro rata; E&G Funds; *to* Dean of the College of Arts and Sciences, salary of \$115,120 per annum, pro rata; E&G Funds; effective July 1, 2014.

**USM**

L. Chad Driskell, *from* Executive Assistant to the President for External Affairs; *to* Vice President for External Affairs, no salary change; effective July 1, 2014.

Frances Lucas, *from* Vice President for the Gulf Park Campus; *to* Transition Position; effective May 27, 2014; *to* Professor of Practice, Department of Human Capital Development, Gulf Park Campus; effective August 18, 2014

Steven G. Miller, *from* Interim Systems Integrator, Office of the Vice President for Research; salary of \$105,000 per annum, pro rata; Grant Funds; *to* Interim Vice President for Gulf Park Campus; salary of \$130,000 per annum, pro rata; E&G Funds; effective June 2, 2014

**3. Tenure (and Promotions where noted)**

**JSU – Twelve-month contract with an effective date of July 1, 2014**

Ramin Cooper Maysami; Dean of College of Business, Full Professor of Economics; **hired with tenure**

**MVSU - Nine -month contracts with an effective date of August 18, 2014**

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Charles Bland, *promotion* to Associate Professor of Bioinformatics

Curressia Brown, Assistant Professor, Department of Business Administration

Theresa Dumas, Assistant Professor, Department of Education

Elizabeth Evans, Assistant Professor, Department of Social Sciences

Jiabo Liu, Assistant Professor, Department of Criminal Justice

Candace Stevens, Assistant Professor, Department of Mathematics, Computer and Information Science

Claude Wilkinson, Assistant Professor, Department of English & Foreign Languages

**USM – Nine-month contracts with an effective date of August 18, 2014**

Jodi Jawor, *promotion* to Associate Professor, Department of Biological Sciences

Jennifer Walker, *promotion* to Associate Professor, Department of Biological Sciences

Donald Yee, *promotion* to Associate Professor, Department of Biological Sciences

**4. Sabbatical**

**USM**

Christopher Campbell, Professor of Mass Communication and Journalism, *from* salary of \$107,784 per annum, pro rata; E&G Funds; *to* salary of \$59,880 for sabbatical period; effective January 1, 2015 to May 19, 2015; professional development

Michael Miles, Professor of Music, *from* salary of \$116,904.99 per annum, pro rata; E&G Funds; *to* salary of \$51,958 for sabbatical period; effective August 81, 2014 to December 31, 2014; professional development

**5. Emeritus Status**

**UMMC** (Effective July 1, 2014)

Thomas Lohmeier, Ph.D.; Professor Emeritus of Physiology and Biophysics

# REGULAR AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**ACADEMIC AFFAIRS**  
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**1. BELHAVEN UNIVERSITY – APPROVAL OF STAGE II – QUALIFY FOR INITIAL ACCREDITATION OF A PROFESSIONAL NURSING PROGRAM (Permission to Admit Students)**

In accordance with (a) and (b), Miss. Code (1991 Supp. § 37-129-1, et seq. which “*empowers the Board of Trustees of State Institutions of Higher Learning to establish rules and regulations and promulgate uniform standards for accreditation of schools of nursing.*”

In accordance with Miss. Code, approval is requested for Stage II Application – qualify for initial accreditation of a professional nursing program (permission to admit students) for Belhaven University.

Belhaven University completed the first stage in the process for establishing a registered nursing program, which was approved by the Board on August 15, 2013 for a new baccalaureate degree program. Belhaven University has completed the second stage in the process and has submitted a completed application and supportive evidence to qualify the program for initial accreditation and allow admission of students.

The second stage in the process for establishing a registered nursing program includes hiring a qualified nursing education program director, faculty and staff, and developing the philosophy, mission, goals, expected program outcomes, curriculum, approved budget, organizational chart, admission, promotion, and graduation policies, systematic plan for evaluation, adequate support services, approved clinical affiliation agreements and fiscal, physical, technological and learning resources. Belhaven University submitted a progress report and an application and self-study report that provided evidence of meeting the requirements for Stage II. A state site visit team composed of representatives from the Accreditation Review and Evaluation Committee of the Mississippi Council of Deans and Directors of Schools of Nursing and Director of Nursing Education made a visit on March 25, 2014 to validate the application for initial accreditation and all materials pertaining to the proposed nursing program. Following the site visit, additional information was requested. The state site visit team met by conference call on May 19, 2014 to discuss the results of the site visit report and review of additional information, and agreed that the criteria for Stage II (permission to admit students) have been satisfactorily met.

A recommendation of approval of Stage II allows the school to admit students and to progress to the last stage, which is qualifying for full accreditation. Stage III requires that a site visit be scheduled with the Board staff during the last semester of the first graduating class (Spring 2016), or in conjunction with the initial national nursing accreditation site visit.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**1. SYSTEM – APPROVAL OF A CONTRACTUAL SERVICE AGREEMENT**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning (IHL) requests approval to enter into a professional services agreement with **Sightlines, LLC**.

**Contractor's Legal Name:** **Sightlines, LLC**.

**History of Contract:** At the May 2011 Board meeting, the Board approved a three year contract with Sightlines for the purpose of providing analytical processes, databases, and comparative metrics for facilities, environmental and student housing data. Sightlines provided measurement, benchmarking, and analytics identifying organizational strengths and weaknesses, and forecasting implications of changes to resource allocation, project deferral, or the physical asset profile. As a result of implementing these processes throughout the IHL system and created a web-interface to the IHL System Office, consistent performance data can be accessed allowing in-depth comparisons and the creation of reports, charts, tables and presentations. The data can also be correlated with other institutional data elements such as enrollment. This contract was for \$1,204,430 for the three-year period and will expire on June 30, 2014.

**Specific type of contract:** Professional Services Agreement

**Purpose:** The purpose of the contract is to obtain Sightlines facilities management services for three years. These services includes Sightlines services lines of ROPA+, Capital Renewal, Housing Consultation, a System website to house information, 3 presentations to the Board, and consulting charges based on an hourly rate.

**Scope of Work:** Sightlines is to provide the following scope of work requirements:

ROPA+ Service Line

- Annually compile operational and capital performance metrics for facilities
- Provide benchmarks and trends for facilities
- Identification of financial and operational opportunities that release savings
- Understand and communicate facility risk
- Identify operating targets for facilities
- Track performance against other institutions
- Track progress towards performance goals

Capital Renewal Service Line

- Identify the deferred maintenance backlogs at each campus by building
- Identify future life cycle needs at each campus by building
- Provide data and analysis to support future capital planning for all campuses that address these needs and accounts for future life cycle risk
- Track implementation of the capital program moving forward to maximize impact

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Housing Consultation

- Compile student housing performance over time
- Provide trend analysis of housing data
- Compare and benchmark housing data within the IHL system
- Compile staffing levels for housing over time
- Compile housing rates to local housing market
- Model impact of future projects

System Website and Presentation

- Maintain system website to deposit facilities information
- Customizable dashboard of facilities performance metrics
- Benchmarks of facilities metrics of over 300 institutions
- Make 3 presentations to the Board of Trustees on facilities each year

Consulting Services on an Hourly Basis

- IHL institutions may request additional consultation services at an hourly rate ranging from \$60 to \$325 subject to annual change in per hour fees

**Term of contract:** The contract length is three-years – July 1, 2014 through June 30, 2017.

**Termination Options:** Either party may terminate the agreement in whole or in part for cause upon ninety (90) days written notice if the other party fails to comply with any material term or condition of this agreement and fails to correct such deficiency within a thirty (30) day period after such written notice from the party seeking to terminate.

**Contract Amount:** The total cost for the entire contract period is estimated at \$2,117,623. These costs will be billed to the institutions. The estimated contractual cost is shown below by service line. Hourly charges are estimated at 1 two-day visit at eight institutions each year. Actual charges for hourly charges and reimbursements are estimates and actual charges may vary depending on usage by institutions. Hourly rates are subject to change and are for services beyond those provided by ROPA+, Capital Renewal, and Housing Consultation service lines and may include assistance with campus master planning. Capital Renewal and Housing Consultation are new services to IHL's existing contract with Sightlines expiring on June 30, 2014. Sightlines estimates that there will be upfront costs in FY 2015 associated with establishing the data background to provide this service line. USM's Gulf Park and Gulf Coast Research Lab facilities were not included in the original contract. These campuses will be added at an annual cost of \$48,000.

	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>Total</b>
ROPA+	\$293,070	\$293,070	\$293,070	\$879,210
Addition of USM Gulf Park and Research Lab	48,000	48,000	48,000	144,000

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Capital Renewal	413,509	124,052	124,052	661,613
Housing Consultation	70,000	70,000	70,000	210,000
System Website & 3 Presentations	26,000	26,000	26,000	78,000
<b>Subtotal</b>	<b>850,579</b>	<b>561,122</b>	<b>561,122</b>	<b>1,972,823</b>
Hourly Charges (est.)	41,600	41,600	41,600	124,800
Reimbursements (est.)	20,000	20,000	20,000	20,000
<b>Total</b>	<b>\$912,179</b>	<b>\$622,722</b>	<b>\$622,722</b>	<b>\$2,117,623</b>

**Funding Source for Contract:** Funds earmarked for this objective will be appropriated to the institutions in FY 2015 and the campuses will subsequently be billed for the costs.

**Contractor Selection Process:** Since IHL institution is currently contracted with Sightlines for this service and since services are exempt from the RFP process, the contract was chosen to ensure consistent comparability of data analyses.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval prior to execution of all contracts greater than \$250,000 is required. The Attorney General's Office recommends approval contingent upon obtaining a Certificate of Authority to Transact Business from the Mississippi Secretary of State. Board staff recommends approval.

**2. SYSTEM-REQUEST FOR APPROVAL OF FISCAL YEAR 2015 OPERATING BUDGETS**

Approval is requested for the fiscal year ending 2015 Operating Budgets for the system. These proposed budgets will be provided to the Board under separate cover. Included as supplemental information as required by the *Ayers* Settlement Agreement, Board Policy 704.02, and Board Policy 703.04 E. are the following:

Fiscal Year 2014-2015 *Ayers* Budgets,  
Fiscal Year 2014-2015 Athletic Budgets, and  
Fiscal Year 2014-2015 E&G Scholarships, Fellowships & Tuition Waivers.

**STAFF RECOMMENDATION:** Based on Board Policy 701.05 - Budgets, 703.04 E. Policy Guidelines, and 704.02 – Athletic Budget Approval and Reporting, *the Commissioner, after consultation with the Institutional Executive Officers, shall prepare*

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*and submit for approval by the Board annual budgets for the several institutions and separately budgeted units. Board staff recommends approval of these items.*

**3. SYSTEM –REQUEST FOR APPROVAL OF FY 2016 PROPOSED FUNDING PRIORITIES**

Proposed funding priorities are required for the 2015 Legislative Budget Request (LBR). The proposed funding priorities will be presented under a separate cover.

**STAFF RECOMMENDATION:** Based on Board Policy 701.03, Budget and Planning Priorities, the Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual statement of system planning and budget priorities for consideration and approval by the Board. Board staff recommends approval of this item.

**4. SYSTEM –FINAL APPROVAL OF NEW BOARD POLICY TO AUTHORIZER PREPAYMENT OF EXPENSES UNDER CERTAIN CONDITIONS**

**Agenda Item Request:** During the 2014 Legislative Session, the Legislature approved House Bill 433 which authorizes the Board of Trustees to permit prepayment of expenditures provided the Board adopts rules and regulations consistent with those established by the Mississippi Department of Finance and Administration.

This policy was presented for first reading at the May 2014 Board meeting. This version has been amended to reflect changes to clarify the need for Board of Trustees approval for prepayment for contracts which otherwise require Board approval. The additional amendments are shown in red. The proposed new policy will be added, as amended, as Section 707.03 under Policy Section 707 Contracts.

**707.03 APPROVAL OF PREPAYMENT FOR GOODS OR SERVICES**

Pursuant to Miss. Code Ann. § 7-7-27 (1972), as amended, the Board of Trustees of State Institutions of Higher Learning (IHL) may permit prepayment for goods or services not yet received. The procedures regarding obtaining a waiver to permit payment in advance such waivers applicable to the IHL Executive Office and the various state universities are as follows:

- 1) The Commissioner is delegated the authority to approve such prepayment/waivers on behalf of the Board. However, if any other Board policy requires IHL Board approval in

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order to contract for, lease or purchase the subject goods, services, equipment, property or facility, approval of a prepayment/waiver must be sought from the IHL Board, instead of the Commissioner, at the same time permission is sought from the Board in order to contract, lease or purchase.

- 2) Written permission from the Commissioner ~~or Board~~ must be obtained prior to making ~~prepayment~~ or contracting to make prepayment of goods or services before such goods or services are received.
- 3) The requestor must submit a written request to the Commissioner, ~~or an agenda item for consideration by the Board~~, explaining the circumstances or reasons why the waiver is being sought. A copy of the invoice or ~~proposed~~ contract showing the prepayment terms must be attached to the request.
- 4) Registration fees for conventions and conferences and deposits for hotel fees may be paid in advance and do not require permission/waiver by the Commissioner ~~or Board~~.
- 5) If federal funds are to be used to prepay multi-year services or licensing, the requestor must ensure that the prepayment conforms to the federal grant regulations and requirements. The requestor must provide documentation to the Commissioner ~~or Board~~, as part of the written request for a waiver, indicating that the prepayment conforms to the federal grant regulations and requirements.
- 6) A waiver from the Commissioner is not required in order to pre-pay a single payment within a fiscal year for the rental of a post office box, membership dues, subscriptions and software maintenance fees. ~~However, if Board approval is required within another policy in order to contract for or purchase same, the Board's approval to contract or purchase must still be sought as required by the applicable policy.~~
- 7) ~~A waiver from the Commissioner is not required in order to pre-pay up to twelve monthly payments in a fiscal year for rent (i.e., land, buildings, office space, office equipment, etc.), maintenance fees, operating fees, (i.e., application service provider [ASP] fees) and leases (i.e., vehicle or equipment).~~
- 8) All multi-year prepayments require a waiver granted by the Commissioner ~~or Board~~.

**Based on Board Policy 201.0302, *Procedures for Changing Board Policies and Adopting New Policies*, “no new policies nor policy revisions introduced for the first time shall be**

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adopted until a subsequent meeting.” Board staff recommends approval of this item for **FINAL** approval.

**5. SYSTEM REQUEST FOR APPROVAL TO WAIVE THE REQUIREMENT FOR FIRST READING OF PROPOSED AMENDMENT TO BOARD POLICY 704.01 “ATHLETIC REVENUES AND EXPENDITURES” AND TO GRANT FINAL APPROVAL OF SAME**

The Board is requested to vote to waive the requirement for a first reading of the below proposed change to **Policy 704.01 Athletic Revenues and Expenditures** and to grant final approval of same.

As part of the proposed policy change, the Board is being asked to consider approval of a change to the base allocation and a change to allow automatic annual indexing according to the Consumer Price Index (CPI) of the student FTE allowance. The current policy requires review and automatic indexing of the FTE allowance every three years.

**704.01 ATHLETIC REVENUES AND EXPENDITURES**

~~Institutional Executive Officers are authorized to transfer or use up to the following amounts from Unrestricted Educational and General (E&G) funds for athletic expenditures:~~

<del>_____UM, MSU, USM_____</del>	<del>_____ \$1,000,000</del>
<del>_____DSU, JSU, ASU, MVSU_____</del>	<del>_____ \$1,300,000</del>

Institutional Executive Officers are authorized to transfer or use up to \$1,500,000 annually from Unrestricted Educational and General (E&G) funds for athletic expenditures.

Over and above the sums shown above, each school is authorized to expend a limited amount per student FTE from Unrestricted Education and General Funds. The additional maximum amount per student FTE per semester (summer, fall and spring) which may be expended for each institution is \$198.

~~Every three~~ Each years beginning ~~after July 1, 2014, FY2005~~ the athletic allocation will be ~~reviewed and~~ automatically indexed to the Consumer Price Index.

All other revenue for athletic expenditures must 1) be generated directly by the institution through athletic department receipts, 2) income from available athletic fund balances, or 3) for those institutions operating athletics as an auxiliary enterprise, come from available auxiliary

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fund balances. Under no circumstances shall an institution conclude a fiscal year with a deficit.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.

**6. MUW- REQUEST FOR APPROVAL OF THE RESIDENCY AND OUT-OF-STATE TUITION WAIVER POLICY**

**Purpose:** The purpose of this Policy is to authorize and define the criteria for granting waivers of out-of-state tuition to Mississippi University for Women students. More specifically, this policy is implemented to include out-of-state tuition waivers as recently authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. § 37-103-25 (3).

**Authority and Effective Date:** This Policy reflects, and shall be construed in conformity with, the Policies and Bylaws of the Board of Trustees of State Institutions of Higher Learning and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This Policy shall be effective upon approval by IHL and MUW, with individual waivers becoming applicable as of the date approved by the MUW President, unless a later time is indicated below.

**New Categories of Out-of-State Waivers:** The following out-of-state waiver categories are authorized, in addition to those in existence by virtue of prior statutory law and IHL Board Policy. All waivers are contingent upon the student's submission to MUW of timely and adequate proof of having met the applicable criteria.

- a. Contiguous States - Residents of Alabama, Arkansas, Louisiana, and Tennessee meeting admissions requirements and maintaining satisfactory academic progress for continued eligibility.
- b. Military - All students who have active or veteran military status, including spouses and dependent children. Students must maintain satisfactory academic progress for continued eligibility.
- d. Students Near Completion of a Degree - All students who have earned a total of 90 or more credit hours as verified by the Office of the Registrar. Students must have been out of school for a minimum of 2 years. Students must maintain satisfactory academic progress for continued eligibility.
- f. Children and Grandchildren of Alumni - Undergraduate non-resident students who are children and/or grandchildren of active members of MUW Alumni Association. Students must meet admissions requirements for initial award and maintain satisfactory academic progress for continued eligibility.

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g. Academic Programs - Mission specific programs specifically identified by MUW. Students must maintain satisfactory academic progress for continued eligibility.

The university estimates that the financial impact to the university could be as much as \$700,000 of additional tuition revenue generated over a five-year period.

**STAFF RECOMMENDATION:** In accordance with House Bill 1095 amending Miss. Code Ann. Section 37-103-25, *the Board of Trustees is authorized to allow institutions to waive out-of-state tuition when a waiver policy is requested by the President or Chancellor and determined to be fiscally responsible by the Board.* The Attorney General's Office reviewed the proposed policy and recommends no changes. Board staff also reviewed the proposed policy and financial projections provided by MUW. Board staff recommends approval of this item.

**7. MVSU- REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT**

**Agenda Item Request:** Mississippi Valley State University (MVSU) requests approval to enter into a lease agreement for the rental of temporary dormitory rooms to house students during the academic years 2014/2015 and 2015/2016 located on a tract of land on MVSU's campus.

**Contractor's Legal Name:** TBD

**History of Contract:** MVSU has experienced an on-campus housing shortage since last year partly due to the number of dormitories off-line. While College Hall I is being renovated, it will not be available for occupancy for the 2014/2015 academic year; therefore, a contract for temporary on-campus student housing was sought after determining that there would be a shortage of student housing for the academic years of 2014/2015 and 2015/2016.

**Specific Type of Contract:** Lease agreement.

**Purpose:** The purpose of the agreement is for the provision of temporary dormitory rooms to house students for the academic years of 2014/2015 and 2015/2016. The housing units will be located on a tract of land on the MVSU campus.

**Scope of Work:** Contractor will provide lease of modular housing units for 50 to 150 beds.

**Term of Contract:** The term of the agreement is anticipated to be 6 months to 2 years, beginning on or about August 15, 2014.

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**Termination Options:** TBD

**Contract Amount:** TBD

**Funding Source of Contract:** The current agreement will be funded by auxiliary funds revenue.

**Contractor Selection Process:** Pending additional due diligence

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Based on Board Policy 707.03, *Approval of Prepayment for Goods and Services*, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01 . The agreement review and approval by the Attorney General's Office is pending. Board staff recommends delegation of authority to approve the final contract to the Commissioner, pending Attorney General's review and additional due diligence by Board Staff.

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**1. USM – APPROVAL TO SETTLE IHL SELF-INSURED WORKERS’  
COMPENSATION CLAIMS**

The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for a settlement of Claims No. 55-34859 and 55-34237-1 at the University of Southern Mississippi.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

# INFORMATION AGENDAS

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**JSU – SELECTION OF PROFESSIONAL SERVICES FOR PROPOSED  
EDUCATIONAL BUILDING CORPORATION STUDENT HOUSING PROJECT**

**Project Background:** At its March 20, 2014 meeting, the Board approved the initiation of this project through the Jackson State University Educational Building Corporation (“JSU/EBC”), to be comprised of a new student housing facility for students, a dining facility, and a conference and event center. The project is time sensitive due to the needs described in the previous agenda item that sought project approval. This information item relates to the appointment of additional professionals to work on the project. The proposed project is IHL 203-156.

**Proposed Team of Key Professionals:** JSU and JSU/EBC propose to retain the following professionals to assist with the financing and development of the project:

- Edward Norwood Jr. of Comer Capital Group, LLC (Jackson, MS) as the financial advisor to represent the interests of the Board, JSU/EBC and JSU as described in Section 906 of Board Policies & Bylaws,
- Morgan Stanley & Co. LLC as the underwriter; and
- Butler Snow LLP (Ridgeland, MS) as bond counsel.

Board Policy 906 requires that the Financial Adviser submit a financial report to the Board prior to consideration of debt “to verify that proposed revenue stream(s) are sufficient to repay debt service and to recommend the project’s viability.” At this time, the Financial Advisor has not prepared a report but intends to do so at a future meeting. Final approval of project professionals is pending receipt of report but is brought forward as information at time. Bond counsel must be approved by the Attorney General’s office.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE**  
**May 15, 2014 BOARD MEETING SUBMISSION DEADLINE**

**NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:**

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

**Change Order Approval Note:** No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff until the budget increase is approved by the Board.

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**A L C O R N   S T A T E   U N I V E R S I T Y**

**1. ASU– GS 101-278 – Lanier Hall Renovations**

**Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$20,497.68 and three hundred fifty-four (354) additional days to the contract of Barnard & Sons Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 14, 2014

Change Order Justification: Change Order #2 is necessary to level the first floor, to deduct for concrete benches, to add a wheelchair lift and time extensions due to delay of material being delivered, rain and the wheelchair lift installation.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$117,152.78.

Project Initiation Date: May 14, 2009

Design Professional: Waycaster and Associates

General Contractor: Barnard & Sons Construction

Project Budget: \$1,800,000.00

**J A C K S O N   S T A T E   U N I V E R S I T Y**

**2. JSU– GS 103-267 – Alexander Center Renovation Phase I**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$102,811.65 and fourteen (14) additional days to the contract of Coleman Hammons Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 22, 2014

Change Order Justification: Change Order #1 is necessary to add security cameras, to replace the fire pump control panel with one that has an automatic transfer switch for

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emergency power, replace four (4) existing 2-pipe fan coil units in IT rooms and to provide subfloor filling & patching in the community bathrooms.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$102,811.65.

Project Initiation Date: April 18, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$7,084,000.00

**3. JSU– GS 103-268 – Capitol Centre Improvement**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract to the apparent low bidder, M.A.C. Construction of Mississippi, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 22, 2014

Project Initiation Date: September 17, 2009

Design Professional: M3A/McElroy & Associates, Architecture, PLLC

General Contractor: M.A.C. Construction of Mississippi, LLC

Project Budget: \$3,065,842.00

**4. JSU– GS 105-275 – Administration Tower Exterior Waterproofing**

**Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$68,760.00 and zero (0) additional days to the contract of Coleman Hammons Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 14, 2014

Change Order Justification: Change Order #1 is necessary to remove, store, and relocate the using agency's furniture during the course of the project.

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$68,760.00.

Project Initiation Date: April 18, 2013

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$2,804,452.00

## **MISSISSIPPI STATE UNIVERSITY**

### **5. MSU– GS 105-343 – Lee Hall Renovation**

#### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$46,475.34 and eighty-three (83) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 15, 2014

Change Order Justification: Change Order #9 is necessary to extend the wood flooring from the Provost's reception area down the corridor to provide a more durable floor surface, omit the carpet infill areas in conference rooms 1702 & 1703, install etched film to the all-glass entrance, add water lines to the coffee makers, add wireless panic devices at two locations on the fourth floor, add power to an existing irrigation controller, add a concrete slab in the basement mechanical room where the existing slab was missing, install a floor patch to smooth out the existing floor slab in the basement corridor to receive the new tile flooring, install a floor patch to level out the slab in the English department office, and add additional days for weather delays and work as indicated herein.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$752,381.52.

Project Initiation Date: June 16, 2011

Design Professional: Dale and Associates Architects, P.A.

General Contractor: West Brothers Construction, Inc.

Project Budget: \$20,700,000.0

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**6. MSU– GS 113-130 – Necropsy Renovation**

**Approval Request #1: Change Order #13**

Board staff approved Change Order #13 in the amount of \$10,223.06 and twenty-one (21) additional days to the contract of T.L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 18, 2014

Change Order Justification: Change Order #13 is necessary to correct CO #12, to remove & replace the block at the hose reel boxes, provide additional electrical work for the condensing units, provide & install additional sprinklers in the Necropsy room, add additional days for weather delays and work as indicated herein.

Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of \$845,857.69.

Project Initiation Date: October 21, 2010

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: T.L. Wallace Construction, Inc.

Project Budget: \$12,197,791.22

**7. MSU – GS 113-130 – Necropsy Renovation (Cooling Tower)**

(Note: Although this work is part of the Necropsy Renovation project, the Cooling Tower work will be bid as a separate construction contract.)

**Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Pryor & Morrow Architects and Engineers, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Staff Approval Date: APPROVED, May 15, 2014

**Approval Request #2: Waiver of Design Development Phase**

Board Approval, Board staff approved the Waiver of the Design Development Phase. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: APPROVED, May 15, 2014

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Project Initiation Date: November 17, 2011  
Design Professional: Pryor & Morrow Architects and Engineers, P.A.  
General Contractor: TBD  
Project Budget: \$12,197,791.22

**8. MSU – GS 113-136 – Meat Science Laboratory**

**Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Pryor & Morrow Architects and Engineers, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 8, 2014

Project Initiation Date: October 17, 2013  
Design Professional: Pryor & Morrow Architects and Engineers, P.A.  
General Contractor: TBD  
Project Budget: \$7,700,000.00

**UNIVERSITY OF MISSISSIPPI**

**9. UM– IHL 207-353 – Coulter Hall Addition and Renovation**

**Approval Request #1: Change Order #2R**

Board staff approved Change Order #2R in the amount of \$26,772.00 and twenty-four (24) additional days to the contract of Carothers Construction, Inc.

Approval Status & Date: APPROVED, May 7, 2014

Change Order Justification: Change Order #2R is necessary to add larger communications pull boxes in corridor 205, pile driving delayed two days due to exam week, electrical gear revisions concerning Starbucks design drawings, undercut required to remove poor soil where old chilled water lines were removed, added motorized damper at the air intake, install new EMT conduits from the basement to the roof along the existing chimney, and add additional days for weather delays and work as indicated herein.

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$52,508.00.

Project Initiation Date: February 16, 2012

Design Professional: BarlowEddyJenkins/CDFL – A Professional Association

General Contractor: Carothers Construction, Inc.

Project Budget: \$18,000,000.00

**10. UM– IHL 207-363 – Library Cooling Tower Replacement**

**Approval Request #1: Change Order #1**

In accordance with Board Policy §904 (A) Board Approval, Board staff did not approve Change Order #1 in the amount of \$7,411.90 and zero (0) additional days to the contract of Shackelford Plumbing Corporation. This Change Order was executed in error by UM without Board Staff Approval.

Approval Status & Date: NOT APPROVED, May 7, 2014

Change Order Justification: Change Order #1 is necessary to lengthen the new cooling tower loop from 6' to 7', and including all associated insulated piping, to allow better connections from the towers to condenser water pumps.

**Approval Request #2: Change Order #2**

In accordance with Board Policy §904 (A) Board Approval, Board staff did not approve Change Order #2 in the amount of \$1,164.96 and zero (0) additional days to the contract of Shackelford Plumbing Corporation. This Change Order was executed in error by UM without Board Staff Approval.

Approval Status & Date: NOT APPROVED, May 7, 2014

Change Order Justification: Change Order #2 is necessary to install conduit for data cables necessary for cooling tower controls.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$8,576.86.

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Project Initiation Date: October 18, 2012

Design Professional: Cooke-Douglass-Farr-Lemons/Eley-Guild-Hardy, A Joint Venture

General Contractor: TBD

Project Budget: \$18,000,000.00

**11. UM – IHL 207-378 – New Student Housing at Northgate**

**Approval Request #1: Contract Documents**

Board staff did not approve the Contract Documents as submitted by Cooke-Douglass Farr-Lemons/Eley-Guild-Hardy – A Joint Venture. UM did not submit this request in the correct approval sequence as per Board Policy.

Approval Status & Date: NOT APPROVED, May 7, 2014

**Approval Request #2: Advertise & Receive Bids**

Board staff did not approve this request to advertise for receipt of bids. UM did not submit this request in the correct approval sequence as per Board Policy.

Approval Status & Date: NOT APPROVED, May 7, 2014

Project Initiation Date: February 20, 2014

Design Professional: Foil Wyatt Architects and Planners

General Contractor: TBD

Project Budget: \$20,500,000.00

**Approval Request #3 (Interim Approval): Increase in Budget**

In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by C.D. Smith, Chair of the Real Estate and Facilities Committee on May 13, 2014, approving a budget increase for the Student Housing at Northgate project. The project budget was increased from \$18,000,000.00 to \$20,500,000.00 for an increase in the amount of \$2,500,000.00.

Budget Increase Justification: The increase in the project budget is necessary in order to award the construction contract to the apparent low bidder in a timely manner.

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Interim Approval Status & Date: APPROVED, May 13, 2014

Project Initiation Date: February 20, 2014

Design Professional: Cooke-Douglass-Farr-Lemons/Eley-Guild-Hardy, A Joint Venture

General Contractor: TBD

Project Budget: \$20,500,000.00

**Approval Request #4: Award of Construction Contract**

Board staff approved the award of contract to the apparent low bidder, Roy Anderson Corporation.

Approval Status & Date: APPROVED, May 13, 2014

Project Initiation Date: February 20, 2014

Design Professional: Cooke-Douglass-Farr-Lemons/Eley-Guild-Hardy, A Joint Venture

General Contractor: Roy Anderson Corporation

Project Budget: \$20,500,000.00

**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

**12. UMMC – GS 109-195 – AED (Adult Emergency Department Renovations)**

**Approval Request #1: Change Order #10**

Board staff approved Change Order #10 in the amount of \$118,578.68 and forty-three (43) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 7, 2014

Change Order Justification: Change Order #10 is necessary to widen the roll-up door to the trash collection area, relocate the triage door, close existing door opening between the waiting room & the trash room, disconnect & remove the electrical supply to the air curtain, remove a fire hose cabinet, cap piping above the ceiling, close the wall opening near the northwest corner of the waiting room, install the CT equipment, renovate the existing temporary exam areas, install a new access control panel & equipment to replace existing panels, and add additional days for work as indicated herein.

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Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$1,066,354.62.

Project Initiation Date: November 14, 2007

Design Professional: Dale/Morris Architects, PLLC

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$11,755,000.00

**13. UMMC – IHL 209-532 – Cardiovascular Renovations**

**Approval Request #1: Change Order #14R2**

Board staff approved Change Order #14R2 in the amount of \$158,657.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, May 14, 2014

Change Order Justification: Change Order #14R2 is necessary for 2<sup>nd</sup> & 3<sup>rd</sup> floor changes and additions to infrastructure, removal of existing abandoned wires that were penetrating a fire rated wall and replace the holes with proper rated assemblies, additional infrastructure in the prep recovery area, rerouting of the conduit and terminations for the recording/editing functions for the labs, credit for lead glass installed in entry doors, five additional light fixtures, additional data cabling, installation of various medical equipment and associated electrical feeds, credit for two additional dampers on the 3<sup>rd</sup> floor, and additional wood panels required to cover the lighting installed and terminate the millwork.

Total Project Change Orders and Amount: Fourteen (14) change orders for a total amount of \$708,640.84.

Project Initiation Date: February 16, 2012

Design Professional: Cooke Douglass Farr Lemons Architects and Engineers, P.A

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$20,182,526.00

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**1.     SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL**

**Legal fees approved for payment to outside counsel in relation to litigation and other matters:**

Payment of legal fees for professional services rendered by Evans Petree (statements dated 3/5/14 and 4/11/14) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,162.50 and \$2,286.25, respectively, represent services and expenses in connection with legal advice relating to construction defects at the Inn at Ole Miss.)

**TOTAL DUE.....\$       3,448.75**

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 5/7/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$940.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$       940.50**

**Legal fees approved for payment to outside counsel in relation to patent and other matters:**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 4/9/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Water Repellant Solids Non-Prod." - \$384.00; "Alcohol Esterification (Condensor Train)" - \$533.10; "Pelvic Floor Strength Assessment Device" - \$2,114.00; "Synthesis Methods of Graphene from Lignin" - \$408.00 and "Device that Interacts with Target Applications" - \$3,700.00.)

**TOTAL DUE.....\$       7,139.10**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/17/14, 3/17/14 and 4/18/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Nematode Resistance Genes and Methods of Their Use" - \$109.50; "Noval Catalysts and Process for Liquid Hydrocarbon Fuel Production" - \$388.50 and "Noval Catalysts and Process for Liquid Hydrocarbon Fuel Production" - \$472.50, respectively.)

**TOTAL DUE.....\$       970.50**

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Payment of legal fees for professional services rendered by Valauskas Corder (statements dated 4/2/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Bio-Oil Pretreatment" - \$297.50 and "Blus Stain System" - \$442.50.)

**TOTAL DUE.....\$ 740.00**

Payment of legal fees for professional services rendered by Armstrong Teasdale (statements dated 4/4/14, 4/4/14, 4/4/14 and 5/12/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Systems and Methods for Underwater Reconnaissance" - \$140.14; "New Application of Hot Melt Extrusion Technology" - \$2,144.62; "Microphone Array for Reducing the Effect of Atmospheric Turbulence on Acoustic Measurements" - \$55.58 and "Systems and Methods for Underwater Reconnaissance" - \$1,030.47, respectively.)

**TOTAL DUE.....\$ 3,370.81**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 3/14/14, 3/14/14, 3/31/14, 4/10/14, /4/15/14 and 4/18/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Stuttering Inhibition Device" - \$3,672.00; "Device for Demonstrating Components of a Vector" - \$47.50; "Animal Model of Anxiety and Depression" - \$3,815.00; "Preparation of the Pre-Coated RP-Rotors and Universal Chromatorotors, Chromatographic Separation Devices and Methods for Centrifugal Preparative Chromatography" - \$2,500.00; "Animal Model of Anxiety and Depression" - \$480.00 and "Stuttering Inhibition Device Patent" - \$744.00, respectively.)

**TOTAL DUE.....\$ 11,258.50**

Payment of legal fees for professional services rendered by HersHKovitz & Associates (statements dated 4/21/14, 4/22/14, 4/23/14, 5/13/14, 5/14/14 and 5/16/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Novel Selective Inhibitors of Prolylcarboxypeptidase" - \$350.00; "8-Aminoquinolones" - \$1,547.00; "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$724.66; "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$200.00; "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$500.00 and "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$885.00, respectively.)

**TOTAL DUE.....\$ 4,206.66**

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Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/14/14, 1/14/14, 1/14/14, 1/14/14, 1/14/14, 1/14/14, 4/18/14, 4/18/14, 4/18/14, 4/18/14 and 4/18/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Purified Amphotericin-B” - \$172.00; “Highly Purified Amphotericin-B” - \$101.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$614.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$256.00; “Methods for Detecting Humans” - \$748.00; “Highly Purified Amphotericin-B” - \$85.50; “Methods for Detecting Humans” - \$360.00; “Methods for Detecting Humans” - \$256.00; “Methods for Detecting Humans” - \$203.98; “Highly Purified Amphotericin-B” - \$166.56 and “Gas Separating Membranes” - \$92.00, respectively.)

**TOTAL DUE.....\$ 3,055.04**

**2. UMMC – REQUEST FOR OFFICIAL OPINION FROM THE ATTORNEY GENERAL**

Pursuant to IHL Board Policy 1103, the IHL Board Legal Committee Chair granted permission to request an official opinion from the Attorney General regarding the UMMC graves issues, as reflected in the opinion request letter set out below. Board Policy 1103 requires that all such requests approved by the Legal Committee Chair be reported to the full Board as an information item at its next meeting.

June \_\_, 2014  
**VIA: HAND DELIVERY**

The Honorable Jim Hood  
Attorney General  
550 High Street  
Jackson, MS 39201

Re: Request for Official Opinion

Dear General Hood:

As Commissioner of Higher Education, appointed pursuant to Miss. Code Ann. § 37-101-7, and in accordance with Miss. Code Ann. § 7-5-25, I request your official opinion on the following matters:

**BACKGROUND**

Recently, unmarked graves were discovered in the course of a road construction project on the campus of the University of Mississippi Medical Center (“UMMC”). Although the discovery of unmarked graves during the road construction project was unexpected, it is not

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unprecedented. Unmarked graves were discovered during construction projects on the UMMC campus in the early 1970's and 1990's.

The previous discoveries of unmarked graves, however, were relatively small in number compared to recent discoveries. From November 2012 to March 2013, 66 human burials discovered during the road construction project were excavated by archeologists from Mississippi State University, at a cost of approximately \$3,000 per burial. Since November 2012, over 1,000 unmarked graves located on undeveloped UMMC property have been identified. The actual number of unmarked graves is likely much higher.

The existence of a "potter's field" or pauper's cemetery on UMMC property has been known for decades. In order to permit UMMC to develop the property where the cemetery is located, on March 27, 1973, the Mississippi Legislature passed Chapter 846 of the Local and Private Laws of the State of Mississippi, 1973 (the "1973 Act"). The 1973 Act was later amended by Chapter 854 of the Local and Private Laws of the State of Mississippi (the "1974 Act"). Section 2 of the 1973 and 1974 Acts apply to UMMC and authorize:

The governing authorities of the University Medical Center . . . in their discretion, to rearrange or disinter, remove and reinter human remains reposing in the potter's field on the University Medical Center property to a different location on the University Medical Center's potter's field when such disinterment, removal and reinterment is necessary for proper and efficient maintenance and management.

In the past, UMMC disinterred human remains discovered during construction projects pursuant to its discretionary authority granted under the 1973 and 1974 Acts, and reinterred the remains in a cemetery plot on UMMC property set aside for that purpose.

UMMC interprets the discretionary authority granted to it under the 1974 Act to include the authority to cremate disinterred human remains and to reinter the cremated remains in the UMMC cemetery plot. This interpretation is supported by the fact that Section 1 of the 1974 Act grants the same discretionary authority granted to UMMC to the board of supervisors of any county with a population of more than two hundred thousand (200,000), and the Office of the Attorney General previously opined that a board of supervisors has the authority to cremate the remains of a pauper, and burial of the cremated remains constituted a decent burial under Miss. Code Ann. § 41-39-5. *See* Op. Atty. Gen. No. 97-0765, Meadows, December 5, 1997.

In contrast to the authority granted to UMMC under the 1973 and 1974 Acts, in 1970, the Mississippi Legislature granted the Board of Trustees of the Mississippi Department of Archives and History ("MDAH") authority to administer the Antiquities Law of Mississippi in furtherance of the stated public policy of the State of Mississippi "to protect and preserve all sites, objects, buildings, shipwrecks, and locations of historical, archaeological, or architectural significance, including . . . archaeological sites of every character . . . within the jurisdiction of the State of Mississippi." Miss. Code Ann. § 39-7-3. The Antiquities Law provides that, "[a]ll locations of archeological significance . . . as well as archeological sites of every character that

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are located in, on or under the surface of any lands belonging to the State of Mississippi or to any county, city, or political subdivision of the state . . . are declared to be Mississippi landmarks . . . .” *Id.* at § 39-7-11(1). The law further provides that Mississippi landmarks, “may not be taken, altered, destroyed, salvaged or excavated without a permit from the board or in violation of the terms of such permit.” *Id.*

Regarding public construction, the Antiquities Law requires that the MDAH be notified of planned public construction prior to the letting of bids, and if the MDAH determines that “significant historic, architectural, or archaeological sites, buildings, structures, locations, or remains will be adversely affected by the public construction or improvement . . . the proposed public construction or improvement may not be commenced” without a permit. *Id.* at § 39-7-22(1)-(2). Ultimately, the Antiquities Law grants the MDAH authority to prohibit construction, if the MDAH Board determines that “the site possesses unusual significance, and is unique to such a degree that the landmark is, or is likely to be, the sole representative of a type or period . . . .” *Id.* at § 39-7-22(3).

Recently, archeologists approved by the MDAH and retained by UMMC to survey the undeveloped UMMC property concluded that the “potter’s field” located on the property was of “archeological significance,” as defined by the Antiquities Law. In addition, the MDAH has previously taken the position that “potter’s field” property may not be developed without a permit issued by the MDAH Board.

In summary, it appears that both the 1974 Act and the Antiquities Law potentially apply to the disposition of the unmarked graves. The 1974 Act grants the governing authorities of UMMC discretion, within the bounds of the statute, in determining when and how to disinter, remove and reinter human remains buried in the “potter’s field” in order efficiently manage its property. On the other hand, the Antiquities Law requires UMMC to obtain a permit from the MDAH before altering or excavating the property, and grants authority to the MDAH to determine how the excavation or construction must be performed, or to deny a construction permit altogether.

**QUESTIONS**

The specific questions for your consideration are as follows:

1. Notwithstanding the authority granted to the MDAH under the Antiquities Law of Mississippi, does UMMC have discretionary authority under the 1974 Act to determine when and the manner in which human remains may be disinterred, removed and reinterred on UMMC property?
2. Assuming the answer to the previous question is yes, does the 1974 Act permit UMMC to cremate disinterred human remains before reinterment in the UMMC cemetery plot set aside for that purpose?

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Thank you in advance for your opinion on these important matters. Rest assured that no matter what course of action is determined to be appropriate, the remains of the individuals buried on UMMC property will be afforded the utmost respect and dignity.

Sincerely,

Dr. Hank M. Bounds  
Commissioner of Higher Education

Enclosures

cc: James E. Keeton, M.D.  
Vice Chancellor for Health Affairs  
Dean, School of Medicine

Jeffrey A. Walker  
General Counsel/Chief Legal Officer  
University of Mississippi Medical Center

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**1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

- a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve renewal of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and the contract amount does not exceed 110% of the current contract.” On May 9, 2014, the Commissioner approved the request to renew a lease agreement with the United States of America (USA) acting by and through the USDA Agricultural Research Service. This agreement is for the lease of 1.61 acres of land at the MSU Delta Branch Experiment Station in Stoneville, MS. The property also serves as the site for the USDA Mechanization Unit building. The building is used as storage space for USDA owned mechanical equipment. The lease renewal will run for an additional twelve (12) month period and may be extended for an additional twelve (12) month period upon mutual agreement of the parties and subsequent approval of the Commissioner. This is Year 4 of a total (10) year lease term. The USA will pay MSU a nominal rent fee of \$1 yearly. The Executive Office legal staff have reviewed and approved the contract documents.
- b. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve renewal of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and the contract amount does not exceed 110% of the current contract.” On May 4, 2014, the Commissioner approved the request to renew a lease agreement with the United States of America (USA) acting by and through the Agricultural Research Service. This agreement is for the lease of approximately 12.37 acres of land on MSU’s South Mississippi Branch Experiment Station, Coastal Research and Extension Center in Pearl River County, MS. The acreage will be used by the USA for cultivation and agricultural research purposes. The lease renewal will run for an additional twelve (12) month period may be extended for an additional twelve (12) month period upon ninety (90) days notice to the Lessor and subsequent approval of the Commissioner. This is Year 4 of a total ten (10) year lease term. In lieu of an annual rent payment, government personnel will maintain the leased acreage. The Executive Office legal staff have reviewed and approved the contract documents.

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- c. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 2, 2014, the Commissioner approved the request to renew a lease agreement with the United States of America (USA) acting by and through the USDA Agricultural Research Service. This agreement is for the lease of 4,164 square feet of greenhouse space at the MSU Delta Branch Experiment Station in Stoneville, MS. The space will be used by the USA for soybean breeding research in support of its ARS (Agricultural Research Service) mission. The lease renewal will run for an additional twelve (12) month period and may be extended for an additional twelve (12) month period upon mutual agreement of the parties and subsequent approval of the Commissioner. This is Year 4 of a total ten (10) year lease term. In lieu of a payment of rent, government personnel will provide all necessary renovations, repairs and upkeep of the greenhouse space. The Executive Office legal staff have reviewed and approved the contract documents.
- d. **UM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On May 27, 2014, the Commissioner approved the 2014-2015 Parking and Traffic Rules and Regulations.
- e. **UM** – In accordance Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On June 2, 2014, the Commissioner approved the request to enter into a lease agreement with Alpha Delta Pi International Housing, Inc. for the construction and maintenance of a sorority house for a new chapter of the Alpha Delta Pi Sorority on the University of Mississippi campus. The term shall be for a period of thirty years commencing on June 1, 2014 and continuing through May 31, 2044. A legal description of the property is on file in the Board Office. The Executive Office legal staff have reviewed and approved the contract documents.
- f. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On May 26, 2014, the Commissioner approved the request to amend its current revenue generating lease agreement with SciGenesis, LLC. Under the amendment, SciGenesis will increase their lease space in USM’s Accelerator Building by 452

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square feet for a total rental of 912 square feet of laboratory space. The amount of rent received by USM will increase by \$11,250 yearly for a total annual rent payment of \$22,800. This is a one year agreement which renews automatically for additional one year terms unless terminated by either party upon sixty (60) days written notice. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

- g. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve renewal of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and the contract amount does not exceed 110% of the current contract." On May 28, 2014, the Commissioner approved the request approval to extend its services agreement with David H. Lee Enterprises, Inc. d/b/a ServiceMaster Cleaning Alternatives (ServiceMaster). The purpose of this agreement is for the continued provision of complete custodial services for the Union complex on the Hattiesburg campus. The original agreement approved by the Board in June, 2011 was for a two-year period for a cost of \$550,192 (including \$100,000 contingency for possible additional services). The agreement also included an option to renew the contract for two (2) additional one-year periods. This renewal agreement will be effective for a twelve month period, July 1, 2014 through June 30, 2015 for a total cost of \$231,840 for the twelve (12) month period. The Executive Office legal staff have reviewed and approved the contract documents.
- h. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On May 28, 2014, the Commissioner approved the request to enter into revenue generating lease agreement with Superior Peek, LLC (Superior Peek). This agreement is for the lease of approximately 765 square feet of office and laboratory space in USM's Accelerator Building. The proposed lease space includes spaces 133 and 134 which will be used by Superior Peek's scientists and professional support personnel for the formulation and production of new polymer materials. The lease term will run for an initial twelve (12) month period and will automatically renew for up to four (4) one-year renewal periods unless terminated by either party not later than sixty (60) days before the end of the then current lease term. USM is requesting approval of the total five (5) year term. In return for the lease of the designated space, USM will receive a payment of \$750 for an initial two-

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week transition period plus an annual rent payment of \$18,370, or, a total of \$92,600 for the entire term. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

- i. **System** - In accordance with Board Policy 613 (c) Athletics, each institution is required to submit a summary of their most recent annual Complimentary Athletic Ticket activity. Each institution is obligated to keep accurate records of complimentary tickets distributed by number of tickets and category of recipients and then shall file an annual report with the Commissioner. On May 16, the Commissioner approved the 2014 Complimentary Athletic Tickets Report. The Executive Office financial staff has reviewed and approved the institutions' submissions.